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ABSTRACT

The document presents the Kansas state plan (fiscal year 1979) for providing equal educational opportunity to all children who are unable to profit from ordinary instructional methods or regular public school classes. Sections 1 and 2 discuss the background and needs and introduce the plan for 1979. Section 3 explores state department operations in such areas as state institutions and the fiscal year 1979 evaluation plan. The fourth section concentrates on the functions of the local education agencies and contains the following parts: summary of responsibilities of local education agencies, administrative responsibilities, procedural responsibilities, program areas - standards, courses of study, and curricula; support services areas - standards, courses of study, and curricula; and early childhood education. A glossary of selected terminology is provided. (PHR)

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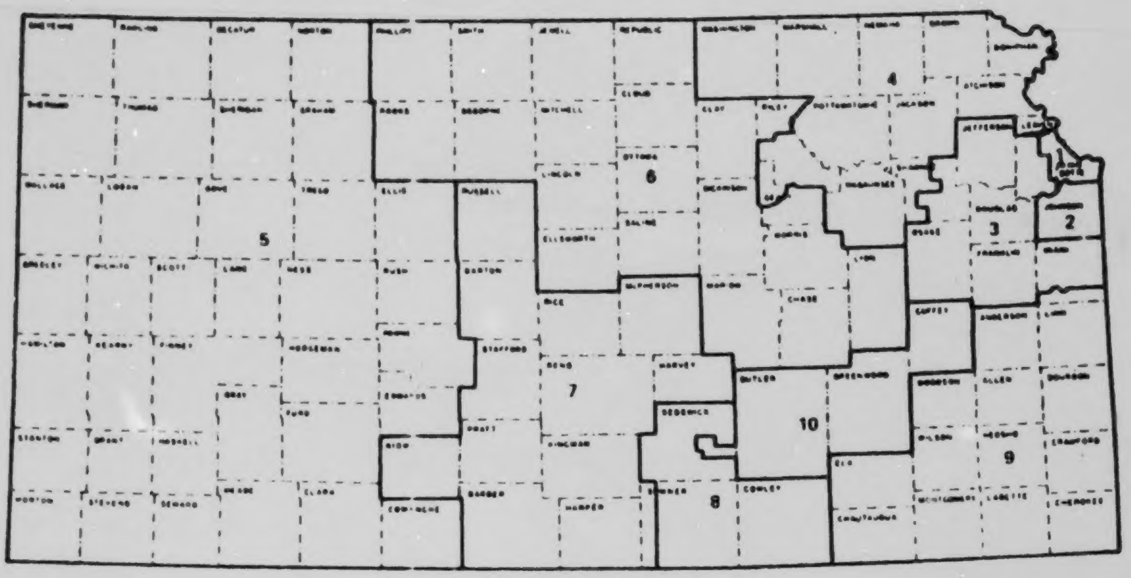

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FOREWORD

Through the years great change has taken place in services relating to programs for the education of exceptional children and youth. Services have expanded to include specialized training, instruction, programming techniques, facilities, and equipment needed for the education of children and youth who differ in physical, mental, social, emotional, or educational characteristics.

A conservative estimate — based on local surveys, national prevalence figures, and State Department of Education validation studies — indicates that 12-15 percent of all children and youth of Kansas are in need of special education services. During the 1976-77 school year, over 70 percent of the estimated exceptional children received those services. The goal of the State Department of Education is to accommodate all the exceptional children and youth of Kansas who need special education services.

The *Special Education Plan for Fiscal Year 1979* is intended to serve as a guide for the development and continuation of the special education programs in meeting this goal. The task may seem great, but the challenge is no greater than the challenge special education has already met.

Merle R. Bolton
Commissioner of Education

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I. INTRODUCTION

The *Kansas State Plan for Special Education* has undergone revisions for Fiscal Year 1979 which will assist consumers in providing more efficient and quality services to exceptional children and youth of Kansas. Three new sections — Facilities, Support Services, and State Institutions — have been added to the Plan, and one section — Regional Evaluation Teams for Visually Impaired and Hearing Impaired — was deleted. Other alternatives have been developed to meet the needs of the students who have been served by these teams in the past.

Two sections were expanded: a unit on State Approval of Special Education Programs became a separate section while the section on Evaluation and Objectives was developed to include excerpts from the *Fiscal Year 1978 Special Education State Plan Evaluation Report*, a separate document not included in the Plan because of its length. This section contains data to indicate the progress made in the objectives of the eight program areas for Fiscal Year 1978 as well as the new objectives to be accomplished in Fiscal Year 1979.

Substantive changes based on legislative action or federal regulations have been made in the sections of Procedural Due Process, Confidentiality, and Screening, Evaluation, Placement and Review. Other changes in sections of the Plan have been made on the basis of field and staff input.

The *Kansas State Plan for Special Education* has also been revised in its structural format. The Plan is now divided into five major sections as follows:

I. Introduction
II. Background and Needs
III. State Department Operations
IV. Local Education Agency Operations
    a. Administrative
    b. Procedural
    c. Program Areas: Standards, Courses of Study, and Curricula
    d. Support Services Areas: Standards, Courses of Study, and Curricula
    e. Early Childhood Education
V. Glossary

It is hoped that this new organization will facilitate the reader in locating the sections needed for reference and direction.

II. BACKGROUND AND NEEDS

The commitment of the state of Kansas to the educational welfare of exceptional children is longstanding. Since 1949, when a special education division was created within the Department of Education, steady progress has been made in extending special education services to both handicapped and gifted children. In Fiscal Year 1952, nineteen classes for the mentally retarded and sixty programs for homebound instruction received state reimbursement from the first $80,000 appropriation of state special education funds. In Fiscal Year 1978, approximately $17,101,000 was distributed to 3,255 special educational program units for children in all categories of exceptionality. Additionally, over 4 million dollars of federal funds was allocated to programs for special education students.

Until 1969, legislation regulating the establishment of special education programs was permissive. The first legal mandate (K.S.A. 72-933) required school districts to provide educational services for developmentally disabled children and youth by 1974. Developmental disabilities were defined as mental retardation, specific learning disabilities, cerebral palsy, and epilepsy. This mandate and implementation date remains unchanged by the Special Education for Exceptional Children Act of 1974, which has revised and recodified the special education laws. Special education programming for all exceptional children by 1979 is now mandatory (K.S.A. 72-966).

It is the duty of the Kansas State Department of Education annually to review the progress or lack of progress made toward implementing the mandates of K.S.A. 72-933 and K.S.A. 72-966. In order to fulfill this responsibility, the Department makes projections to estimate the number of exceptional children who may require special education services. These data are based upon current Kansas population forecasts and a prevalence rate (14.2 percent) which has been proven in state and national studies to approximate the maximum percentage of the school age population who might be classified as exceptional. Table I contains the estimates of numbers of exceptional children of school age within the state who may require special education services over the next five decades.

Local education agencies report annually the actual numbers of children within each category who are receiving special education and related services. Comparison of these data with prevalence estimates provides one index by which progress toward provision of full special education services may be judged. It should be noted that local education agency's End-of-Year Reports represent a duplicated head count. Children receiving multiple services may be counted in two or more categories. Children moving from one district to another or from one special program to another may be counted more than once. Table II contains the number of children reported by local education agencies as receiving special education, by category, in Fiscal Year 1978 and the estimated special education enrollments for the following three years.

Using known, average pupil/teacher ratios, prevalence estimates can be translated into personnel needs and can serve as guides for state and local planning. Meaningful needs assessment, however, must be a local endeavor. Research has shown that there is significant difference from area to area in the prevalence of the various types of exceptionalities. Variables, such as the age ranges, geographic distribution, and degrees of exceptionality of a specific population, also will influence the types and numbers of special education programs needed. Therefore, each local education agency is responsible for conducting an ongoing program which accurately identifies the types and numbers of children requiring special education and defines the resources needed to serve these children. Local boards of education are given the freedom to set priorities for initiating these programs in the various categorical areas within the time frame of the state mandates.

Table III and Table IV contain data reported by local education agencies on the numbers of special education professionals and paraprofessionals (in full-time teaching equivalencies) budgeted in Fiscal Year 1979. The table also shows local education agencies' personnel projections for Fiscal Year 1980 and for full services as mandated by the Education of Exceptional Children Act. For budgeting purposes the number of paraprofessionals shown on Table IV are counted as 0.5 FTE of a professional position.

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Table V contains data showing conservative national prevalence figures and projections of the number of exceptional children needing special education services by categorical area. These projections are based on the Fiscal Year 1978 public school enrollment of 446,592. The table also shows the number of students identified as needing special education services by local education agencies. The prevalence estimates shown in Table V are based on the number of students identified by Kansas local education agencies as exceptional. These prevalence estimates, computed from Local Annual Survey Data, differ from the national prevalence figures in some categorical areas. Further research and expanded needs assessment to determine accurate prevalence data are indicated.

The first special education statute passed in 1949 created a division within the Kansas State Department of Education for the promotion, direction, and supervision of special education. The powers and duties that were delegated to the Division of Special Education under the K.S.A. 72-963 are transferred to the State Board of Education under the current statutory authority of the revised special education bill. In the past, special education operation at the state level has carried out the provisions of the 1949 statute, namely *to promote, direct, and supervise education of exceptional children in the schools of Kansas.* It has not functioned solely as a monitorial and inspectional arm of the Kansas State Department of Education, but rather it has played a leadership and promotional role in the education of exceptional children.

In accordance with the requirements of the new legislation, this document presents the State Plan for providing equal educational opportunity to all Kansas children who are unable to profit from ordinary instructional methods or regular public school classes by reason of unique characteristics which affect learning. This Plan includes minimum standards in order to assure that special education services meet the needs of the children for whom they are designed. The Special Education Administration Section, Kansas State Department of Education, in consultation with the State Advisory Council for Special Education has prepared this Plan for adoption by the State Board of Education. Input for this revision of the Plan has also been received from local education agencies in the state. The State Board of Education is authorized to amend the Plan from time to time (K.S.A. 72-963). Suggestions regarding changes to the Plan are solicited by the State Board of Education and should be transmitted through the Commissioner of Education.

In administering this Plan, standards and guidelines for program operation have been developed. In individual programs with unique needs or circumstances within or beyond the scope of these guidelines, specific cases may be referred for review to the Special Education Administration Section. Consultative services are offered as a part of the supervisory program. In addition, liaison has been established with state and federal institutions, associations, and organizations, as well as other professional and lay groups.

TABLE I

Kansas Population Projections*

Year	Population Age Cohort 5-19	14.2% Prevalence of Exceptional Children
1975	603,718	85,728
1980	546,613	77,619
1990	553,902	78,654
2000	539,821	76,655
2010	472,889	67,150
2020	464,618	65,976

* The source of these statistics is Population and Research Laboratory, Department of Sociology, Kansas State University and Bureau of the Census.

TABLE II

Number of Children Served/To Be Served

	FY 77 Actual	FY 78 Actual	FY 79 Projected Based on Annual Survey	FY 79 Projected Based on # of Units & Caseload	Beyond FY 79 Projected Based on # of Units & Caseload
Semi-Independent	6,262	6,683	6,396	6,718	7,165
Semi-Dependent	1,703	1,322	1,421	1,281	1,513
Dependent	189	85	Included in contractual arrangements and severely multiply handicapped figures.		
Totally Dependent	30	15			
Learning Disabilities	11,247	14,157	11,273	15,104	20,369
Hearing Impaired	847	556*	398**	1,035**	1,548**
Physically Impaired	360	683	260	587	898
Gifted	2,282	3,310	5,153	5,928	14,778
Personal & Social Adjustment	2,724	2,958	1,479	3,859	6,747
Visually Impaired	230	339	236	417	697
Severely Multiply Handicapped/	257	398	369	473	670
Deaf-Blind	67	Included in Severely Multiply Handicapped			
Speech/Language	26,972	27,300	28,056	30,866**	38,060**
Homebound	1,753	1,636	1,700***	1,700***	1,700***
TOTAL	54,856	59,442	56,865	67,958	94,145

* The count is questionable.

** The figures are based on average caseload rather than data submitted on Annual Survey Forms.

*** The number of students in homebound programs is projected to remain about the same as more categorical programs are being initiated.

TABLE III

Professional Teaching Positions

	Actual Positions FY 77	Actual Positions FY 78	Actual Position Vacancies FY 78	Budgeted Positions FY 79	Estimated New Positions FY 80	Est. New Positions Beyond FY 80	Total Positions To Meet Mandate As Reported by LEA's
Semi-Independent	560.80	538.80	19.20	541.80	23,50	12.50	577.80
Semi-Dependent	140.80	141.40	5.60	137.70	21.00	4.00	162.70
Dependent	3.00	--	22.00	10.00	4.00	2.10	16.10
Totally Dependent	--	--	4.00	3.00	1.00	1.20	5.20
Learning Disabilities	490.20	554.80	64.20	592.30	147.50	59.00	798.80
Hearing Impaired	44.70	48.70	8.30	54.60	15.50	11.60	81.70
Physically Impaired	19.00	18.00	15.00	15.50	3.00	5.20	23.70
Gifted	70.00	76.40	23.60	136.90	91.20	113.20	341.30
Personal & Social Adjustment	184.40	220.74	21.26	288.00	98.50	117.00	503.50
Visually Impaired	16.50	20.00	1.00	24.65	6.50	10.10	41.25
Severely Multiply Handicapped/ Deaf-Blind	30.60	57.60	4.40	68.50	13.50	15.10	97.10
Inter-related	115.40	177.46	(22.46)	189.00	53.50	26.00	268.50
School Psychology	209.70	233.50	5.50	242.60	35.00	32.50	310.10
School Social Work	41.20	52.80	(0.80)	60.00	33.50	26.50	120.00
Speech/Language	281.20	303.68	(0.68)	321.80	41.00	34.00	396.80
Sp. Ed. Inst. Mat. Cntr.	19.90	15.20	(0.20)	15.35	4.00	3.00	22.35
Sp. Ed. Administration	57.70	64.20	5.80	89.10	6.50	3.50	99.10
Homebound	58.50	45.80	43.20	99.20	18.90	18.70	136.80
Other	50.70	47.36	9.64	85.20	27.50	24.50	137.20
TOTAL	2,394.30	2,616.44	252.70 (24.14) 228.56	2,975.20	645.10	519.70	4,140.00

TABLE IV

Paraprofessional Positions

	Actual Positions FY 77	Actual Positions FY 78	Actual Position Vacancies FY 78	Budgeted Positions FY 79	Estimated New Positions FY 80	Estimated New Positions Beyond FY 80	Total Positions To Meet Mandate As Reported by LEA's
Semi-Independent	182.00	206.35	6.15	229.80	26.00	8.00	263.80
Semi-Dependent	137.40	156.33	(18.13)	153.80	12.80	1.50	168.10
Dependent	3.50	2.00	3.00	13.00	6.00	1.00	20.00
Totally Dependent	--	--	5.00	4.00	1.00	3.00	8.00
Learning Disabilities	138.80	178.88	(11.88)	210.50	37.50	29.00	277.00
Hearing Impaired	19.60	28.30	3.20	27.40	8.30	6.00	41.70
Physically Impaired	16.30	25.22	(2.72)	40.00	8.50	7.00	55.50
Gifted	3.50	10.02	(5.02)	24.00	12.00	19.00	55.00
Personal & Social Adjustment	69.80	106.32	27.68	141.00	60.00	59.50	260.50
Visually Impaired	10.70	13.38	0.62	21.20	6.50	7.00	34.70
Severely Multiply Handicapped/ Deaf-Blind	57.10	86.92	(7.42)	95.00	34.00	12.00	141.00
Inter-related	41.20	79.26	14.74	92.45	34.20	19.00	145.65
School Psychology	2.30	2.30	(1.30)	4.50	1.00	3.00	8.50
School Social Work	7.00	17.40	6.60	24.00	4.00	4.00	32.00
Speech/Language	16.10	17.32	4.68	17.00	10.00	6.00	33.00
Sp. Ed. Inst. Mat. Center	36.70	36.46	(1.96)	33.70	7.00	2.00	42.70
Sp. Ed. Administration	--	--	--	--	--	--	--
Homebound	2.60	3.00	(2.00)	4.00	3.50	1.00	8.50
Other	8.20	9.47	1.53	10.70	5.00	5.50	21.20
TOTAL	752.80	978.93	73.20 (50.43) 22.77	1,146.05	277.30	193.50	1,616.85

TABLE V

Prevalence Figures

	Conservative National Prevalence	School Age Exceptional Children as Per Prevalence	Number of Children Identified by LEA's as Needing Sp. Ed. Service	Percent Identified as Compared to Prevalence	LEA Prevalence
Semi-Independent	2.0%	8,932	6,424	71.9%	1.4 %
Semi-Dependent	0.3%	1,340	1,426	106.4%	0.3 %
Dependent }	0.1%	447	131	29.3%	0.03%
Total Dependent }					
Learning Disabilities	3.0%	13,398	11,412	85.2%	2.6 %
Hearing Impaired	0.5%	2,233	430	19.3%	0.1 %
Physically Impaired	0.1%	447	275	61.6%	0.1 %
Gifted	2.0%	8,932	5,532	61.9%	1.2 %
Personal & Social Adjustment	1.0%	4,466	1,677	37.7%	0.4 %
Visually Impaired	0.1%	447	239	53.5%	0.1 %
Severely Multiply Handicapped	0.1%	447	379	84.8%	0.1 %
Speech/Language	5.0%	22,330	28,585	128.0%	6.4 %
TOTAL	14.2%	63,419	59,042		12.73%

A. STATE DEPARTMENT ADMINISTRATION AND SUPERVISION

DEFINITION OF EXCEPTIONAL CHILDREN

Exceptional children are defined in K.S.A. 72-962 as those who *differ in physical, mental, social, emotional, or educational characteristics to the extent that special education services are necessary to enable them to progress toward the maximum of their abilities or capacities.* Such children include the mentally retarded, specific learning disabled, cerebral palsied, epileptic, gifted, hearing impaired, language impaired, speech impaired, personally and socially maladjusted, physically impaired, severely multiply handicapped/deaf-blind, and visually impaired. Expanded definitions of the various areas of exceptionality are provided in the program area sections in this Plan.

DEFINITION OF SCHOOL AGE

As required by K.S.A. 1977 Supp. 72-962, the definition of school age for exceptional children has been determined by the State Board of Education. Services for exceptional children shall be implemented at the age at which the local board of education provides educational services for non-exceptional children. Services for preschool children are authorized, but not mandated and nothing herein shall be construed to prevent the use of local funds or state special education categorical funds for such preschool programs. Services shall be extended through the school year during which they reach age twenty-one or until the exceptional child has completed a local curriculum, in accordance with the State Board of Education standards, whichever event shall first occur.

Authorization for Preschool Programs

Local education agencies may, and are encouraged to, provide programs for exceptional children prior to the age of regular schooling. Preschool programs for exceptional children have been authorized by law since 1969. This authority originated under K.S.A. 72-67, 115.

DEFINITION OF SCHOOL DAY

School day shall mean a full six-hour day program for exceptional children as it does for children in general education. Children under the age of six may be exempt from such requirement, and other exceptions shall be made on an individual basis for those children whose physical and/or emotional needs are such that a shortened day may be indicated. Needs and any exceptions to the full six-hour day must be determined by members of the staffing and Individual Educational Program (IEP) conference teams and must be included and certified as a part of the child's IEP.

RESPONSIBILITIES OF THE STATE BOARD OF EDUCATION

The State Board of Education is established by the Kansas Constitution and is charged with the responsibility for the general supervision of public schools, educational institutions, and all the educational interests of the state, except educational functions delegated by law to the State Board of Regents. (Kansas Constitution, Article 6, amendment adopted at General Election, November, 1966.) The State Board of Education is authorized to be the controlling and supervising board for the Kansas State School for the Deaf (76-1001a) and the Kansas State School for the Visually Handicapped (76-1101a). Under K.S.A. 1977 Supp. 72-970 general supervision of special education services for exceptional children housed and maintained in state institutions is given to the State Board of Education. Therefore, in providing programs for exceptional children in state schools and institutions, the state schools and the Special Education Administration Section shall show cooperative effort and coordination in educational program planning.

State Board of Education responsibilities specific to the administration and supervision of special education are cited in K.S.A. 1977 Supp. 72-963. The State Board of Education shall adopt rules and regulations for the administration of any special education laws and shall adopt, and from time to time amend, and administer the *State Plan for Special Education.*

The *State Plan for Special Education* shall include:

(1) A statement of the objectives of state supervision of special education services in local education agencies and state institutions.

(2) Provisions for the establishment, maintenance, and supervision of special services in local education agencies and state institutions.

(3) Prescribed courses of study and curricula necessary to meet requirements for approval of special education services.

(4) Criteria for screening, diagnosis, and certification of exceptional children including physical, educational, and psychological examinations.

(5) Definitions of the various categories of exceptionality.

(6) Implementation dates of special education services for the various categories of exceptionality.

(7) Standards for special education services to be received by each of the several categories of exceptional children.

The Plan, therefore, shall replace any previous standards, guidelines, or brochures that have been adopted.

PHILOSOPHY

In 1972, the State Board of Education adopted as the first goal of education in Kansas the *continuous and successful acquisition of skills, knowledge, and attitudes which are appropriate and conducive to individual personal growth and development necessary for a productive and satisfying life in a changing society.* The second statewide goal is to *provide programs specific to the needs of all groups.* The Kansas State Department of Education operates under the philosophy that these goals are appropriate to instructional programs for all exceptional children.

The Special Education for Exceptional Children Act defines exceptional children as those who *differ in physical, mental, social, emotional, or educational characteristics to the extent that special education services are necessary to enable them to progress toward the maximum of their abilities or capacities,* and mandates the provision of educational opportunities which will contribute to the optimal development of each such child in the state. This definition and this mandate include children with significant learning assets as well as those with learning problems or handicaps.

Since there are great differences among exceptional children and youth, a wide variety of instructional options must be made available in order to meet their needs. For the handicapped, these options will range from programs of continuous supervision in which the objectives of instruction are the acquisition of the most basic daily living skills to minimal support services for learners in regular classrooms. For the gifted, services may range from intensive long-term student-special teacher interaction to structures in which a special teacher arranges meaningful learning experiences entirely within the framework of existing regular educational programs. For *all* exceptional children, programming must be flexible and subject to continuous evaluation in order that an appropriate level of service may be assured. An appropriate level of service is that which allows for the greatest degree of student growth in the educational environment most like that provided for non-exceptional learners.

Most exceptional children can profit from some integration in a regular class program provided that they are properly scheduled and provided with supportive or ancillary services. This implies that special educators must think of themselves as a part of, not apart from, general education. Special education programs should also be articulated with those of agencies offering social, rehabilitative, physical, and mental health services to exceptional children. Coordinated and cooperative efforts with all personnel working to improve the home, school, and community environment of children will greatly strengthen special education programs.

GOALS OF STATE ADMINISTRATION

In order that the above philosophy may be implemented, the Kansas State Department of Education's goals for special education are as follows:

(1) To provide a full range of educational services for all exceptional children in Kansas by July 1, 1979. These services shall be provided in the least restrictive environment, that is, in the setting which allows the maximum degree of interaction with the general school population as is appropriate to the welfare of both special and regular education students.

(2) To develop improved or innovative procedures for providing special education services which recognize the likenesses as well as the differences in learning needs of all children.

(3) To provide direct assistance and support to local education agencies and state institutions in order that they may program effectively for exceptional children.

(4) To work with and maintain liaison with other private and public agencies and organizations, thus utilizing the expertise of all personnel and facilities in providing a total spectrum of services for exceptional children.

(5) To develop and promote organized programs of evaluation which guarantee quality services. Evaluation procedures at both state and local levels shall consider likenesses and differences among populations being served and geographic areas providing the service.

NAME AND DESIGNATION OF STATE BOARD

The State Board of Education has the major responsibility for the administration of the *State Plan for Special Education* and for the general supervision of local education agencies.

EXECUTIVE OFFICER DESIGNATION

The Commissioner of Education is the executive officer of the State Board of Education and is appointed by that Board. The Commissioner is the administrative officer of the State Board of Education of all educational matters and functions under its jurisdiction. Under the policies and procedures adopted by the State Board of Education, the Commissioner directs the work of all persons employed in the Kansas State Department of Education.

The Assistant Commissioner of Education Services is responsible to the Commissioner of Education and the State Board of Education. He administers policies approved by the State Board of Education for the organization and operation of instructional programs, including the Special Education Administration Section.

The Director of the Special Education Administration Section is the chief administrator of special education and is responsible through the Assistant Commissioner of Education Services to the Commissioner in regard to related policies and procedures approved by the State Board of Education.

RESPONSIBILITIES OF THE SPECIAL EDUCATION ADMINISTRATION SECTION

Through authority delegated by the State Board of Education, the Special Education Administration Section is responsible for developing and recommending standards for the implementation and maintenance of special education services and for supervising these services in school districts, private facilities, and state institutions. All federal programs for exceptional children shall be coordinated with the Special Education Administration Section. State institutions include both those under the authority of the State Board of Education and the State Department of Social and Rehabilitation Services as specified in K.S.A. 1977 Supp. 72-961 through 72-963. These two laws require that Special Education Administration Section maintain liaison with other programs working with exceptional children and assume leadership in implementing an interagency approach. The mission of the Special Education Administration Section is to provide leadership at the state and local levels in implementing full and appropriate educational services to all exceptional children. Programs of the Special Education Administration Section include the following:

Semi-Independent (Educable Mentally Retarded),
Semi-Dependent (Trainable Mentally Retarded),
Learning Disabilities,
Hearing Impaired,
Interrelated,
Physically and Other Health Impaired,
Gifted,
Personal and Social Adjustment,
Severely Multiply Handicapped/Deaf-Blind
Visually Impaired,
School Psychology,
School Social Work,
Speech and Language Development,
Special Education Administration, and
Special Education Instructional Media.

Objectives

To provide appropriate special education programs for all exceptional children in Kansas, the Special Education Administration Section, is charged with administrative responsibilities over public and private schools and institutions. Objectives for this section of the agency include the following:

(1) To provide consultation, administrative services, and leadership in each area of exceptionality to ensure full implementation of the Special Education for Exceptional Children Act (K.S.A. 1977 Supp. 72-933 and 72-961 through 72-982).

(2) To provide leadership and assistance in special education program development and evaluation. This shall include assistance to local education agencies in developing a local Comprehensive Plan for Special Education.

(3) To act upon and monitor local education agencies' Comprehensive Plans for the Education of Exceptional Children.

(4) To gather and analyze needs assessment data from school districts and other agencies serving handicapped children. This assessment shall include an Annual Survey of exceptional children in the state.

(5) To develop, disseminate, and/or provide leadership in both state and local evaluation to determine the effectiveness of special education programming.

(6) To review and recommend for approval or disapproval, through the Commissioner to the State Board of Education, the contractual arrangements made by school districts and state institutions.

(7) To monitor local special education programs and to assist in the implementation of all statutes, regulations, and policies for special education.

(8) To approve/disapprove or recommend approval/disapproval of all proposals, grants, and program applications concerning the education of exceptional children regardless of their funding source. To monitor and/or supervise all educational programs of service to exceptional children, regardless of their funding source and facility in which provided authorized by K.S.A. 1977 Supp. 72-970.

(9) To maintain liaison with other state agencies and institutions in order that goals and objectives may be coordinated.

(10) To articulate special education activities with those of other public and private agencies or associations in order to provide comprehensive services to all exceptional children.

(11) To cooperate with Kansas colleges and universities in statewide planning for personnel preparation for exceptional children in concert with Program Approval and Compliance and Postsecondary Administration Sections of the Kansas State Department of Education and the Professional Teaching Standards Advisory Board.

(12) To conduct workshops, institutes, and study groups to assist in the development, monitoring, or improvement of services to exceptional children. Such activities may be a substitute for direct program supervision.

(13) To encourage or assist in the development of a range of program variations which relate to the unique needs of each exceptional child with consideration for the geographic region in which he/she resides.

(14) To maintain such confidential student records or rosters as are necessary for auditing and funding purposes.

B. STATE ADVISORY COUNCIL FOR SPECIAL EDUCATION

To provide for representative and statewide participation in decision-making related to the education of exceptional children, an advisory council was established in the Special Education for Exceptional Children Act (K.S.A. 72-964). One of the major functions of the advisory council is to serve as a liaison between the statewide populace and the Kansas State Department of Education. To effectively represent the citizenry of Kansas, council members should be knowledgeable and informed relative to public and private interests in special education for exceptional children.

Consumer communication with the council is encouraged and may be accomplished through contact with any council member or the secretary to the council. Local education agency personnel, school patrons, students, lay community persons, private sector, public and private agencies, and educators at all levels are encouraged to submit relevant issues, questions, and problems to the council for consideration and action.

Role of the Council

The State Advisory Council for Special Education was created to act in an advisory capacity to the State Board of Education. Its charge is to consider problems related to exceptional children, make recommendations to the State Board concerning special education services, and advise in the development and implementation of the *State Plan for Special Education.* Meeting dates and places for the advisory council, to be determined by the council chairman or the State Board, shall be scheduled as often as necessary to fulfill the duties outlined in the Special Education for Exceptional Children Act.

Council Membership

The advisory council consists of nine members. All appointments are made for a fixed term not to exceed three years. The state director for special education shall serve as secretary to the council. The membership of the council will reflect community, organizational, and educational interests in the education of exceptional children.

The State Board appointment policies for this advisory council include the following:

(1) Advisory council members will serve no more than two full terms (three years per term);
(2) All geographical areas will be represented where feasible;
(3) There will be representation from these fields or special interest groups:
    (a) Teacher training,
    (b) General school administration,
    (c) Special education administration,
    (d) Private schools,
    (e) Handicapped individuals,
    (f) Advocacy groups, and
    (g) Special education categorical areas.

Because the statute limits the size of this council, individual members are often chosen to represent more than one field or special interest group.

C. STATE APPROVAL OF SPECIAL EDUCATION PROGRAMS

INTRODUCTORY STATEMENT

The State Board is charged with responsibility for ensuring the availability of appropriate special education services to all exceptional children in Kansas. As required by K.S.A. 72-963, standards and criteria have been set forth in this Plan. Special education programs provided by local education agencies must meet these standards and criteria in order to:

(1) Provide the services mandated by K.S.A. 72-933, K.S.A. 72-966, and P.L. 94-142;
(2) Qualify for state and federal special education funds; and
(3) Retain state accreditation.

The following procedures have been established to clarify state approval procedures and to assist local education agencies in fulfilling their responsibilities.

CRITERIA FOR STATE APPROVAL

Sufficient educational alternatives must be provided to meet the diverse needs of all children with various types and degrees of exceptionality. Special education programs may be organized categorically or across categories and may be delivered through a wide variety of administrative plans. In all cases, however, state approval of any special education program shall be contingent upon:

(1) Personnel properly certificated in their assigned areas of exceptionality and level of instruction;
(2) Compliance with pupil/teacher ratios as defined in this Plan;
(3) Curricula appropriate to student needs;
(4) Provision of facilities comparable to those provided non-exceptional children;
(5) Compliance with identification, IEP, placement, and review procedures as defined in this Plan;
(6) Provision of appropriate licensed or certificated ancillary support personnel; and
(7) Provision of other necessary support services, for example, transportation, instructional materials, and equipment.

APPROVABLE ORGANIZATION VARIATIONS

Categorical Programs

Categorically organized programs provide an array of placement options for learners within one of the categorical areas of exceptionality. Programs are designed for the various degrees of need and age levels of the learner within a specific category of exceptionality. Standards specific to the various areas of exceptionality are found in the appropriate program area sections of this Plan. Certification requirements for instructional personnel are set forth in the Certificate Handbook. Together these requirements shall constitute the basis for state approval.

Interrelated Programs

In the interrelated programs children with similar learning characteristics and needs, but from two or more categories of exceptionality, are provided services in the same educational program. The interrelated program allows for the provision of small group or individual instruction for combinations of exceptional children without the maintenance of separate categorical classroom facilities or multiple categorical personnel. An advantage of this program is that it minimizes the labeling of children by assignment to categorically identified services. However, local education agencies are reminded that no child may be placed in this, or any other, special education program prior to the completion of the procedures prescribed in the SCREENING, EVALUATION, PLACEMENT AND

REVIEW section of this Plan. The comprehensive evaluation and individualized educational program conference also shall be to determine whether placement in an interrelated program best meets the needs of the child. In addition, it is necessary to determine and document each child's primary area of exceptionality for the administrative purposes of reporting and establishing eligibility for state and federal funding.

Because current state regulations do not specify certification requirements for instructional personnel in interrelated programs, individual approval shall be given to such programs. Prior to initiation of an interrelated program, the local education agency shall submit a written plan for the proposed program to the Special Education Administration Section for review and approval or disapproval. Written plans shall include the following:

(1) A description of the children to be served. The homogeneity of children to be included with regard to learning characteristics and curricular needs will influence approval decisions.

(2) The training and experience of instructional personnel which qualifies them to program for the types of children to be served.

(3) Provisions for providing instructional personnel with assistance from appropriately trained categorical specialists as necessary. The availability of adequate supervision and support systems for teachers of interrelated programs will strengthen applications for approval.

In no case shall approval of interrelated programs be granted solely because appropriately certificated personnel are not available to implement needed categorical programs. Interrelated programs shall be monitored closely by the Special Education Administration Section to ensure that the educational needs of all enrolled children are being met.

Approvable Delivery Models

Compliance with the least restrictive environment principle requires that each local education agency provide a variety of placement options sufficient to meet the needs of children with all types and degrees of exceptionalities. The LEAST RESTRICTIVE ALTERNATIVES section describes the following administrative plans as approvable programs for implementing a total service program:

(1) Home-based Instruction (for preschool only),
(2) Special Instructional Materials and/or Equipment Only,
(3) Consulting Teacher Plan,
(4) Itinerant Teacher Plan,
(5) Resource Room Plan,
(6) Integrated Special Class,
(7) Self-Contained Special Class,
(8) Special Day Schools,
(9) Residential School,
(10) Hospital Instruction, and
(11) Homebound Instruction.

Combinations and/or modifications of these plans are also approvable.

Local education agencies are encouraged to develop other service models, such as parent/infant programs in which parents are taught effective techniques for preventing or overcoming problems in young children, or specialized support systems to maintain moderately handicapped children in the regular school setting. Local education agencies planning to implement innovative programs shall submit a set of plans in writing to the Special Education Administration Section for review and approval or disapproval.

Approval of Homebound and Hospital Instruction

Approval of homebound instruction is treated as a separate case not only because it is the most segregated of all administrative delivery models, but also because it has a legislative history. In the past a special state fund was established to support educational services for children unable to attend school because of severe and/or chronic physical impairments. For this reason home and hospital instruction has come to be considered by many as a separate category of exceptionality. In practice, home and hospital instruction is a delivery system — a program alternative for providing educational services outside of the school setting for physically or other health impaired children and, in some cases, children with personal and social adjustment problems. (See PERSONAL AND SOCIAL ADJUSTMENT PROGRAMS section)

Local education agencies may employ appropriately certified special education personnel who have provisional or full approval status, or they may utilize any certified personnel for home or hospital instruction on an hourly basis. Hourly employed personnel must hold a valid Kansas teaching certificate and give instruction in the subject area(s) and level(s) for which they are certified.

Because it is impossible for a district to know in advance exactly how many students may require home or hospital services, prior approval shall be given on estimated needs. The approximate number of instructional hours for which a district will claim reimbursement must be translated into full-time teacher equivalencies and entered as tenths of a full-time teaching equivalency. (See LEAST RESTRICTIVE ALTERNATIVES section and REIMBURSEMENT AND FINANCES section)

Individual applications for each child receiving homebound services must be filed with the Special Education Administration Section. Local education agencies shall have an application completed and properly signed as soon as it is determined through the individualized educational program conference that a child is in need of homebound services.

PROGRAM APPROVAL PROCEDURES

The following procedures are used by the Kansas State Department of Education to approve individual special education program units and to ensure that the local education agency is implementing services for exceptional children in compliance with state and federal laws. Both programs and procedures must be in order as a condition for state and federal special education funding.

Local Comprehensive Plan for Special Education and Annual Survey

On August 15 of each year, each local education agency shall submit to the Special Education Administration Section its local comprehensive plan (or update thereof) for providing appropriate special education services to all exceptional children of school age residing within the district. (See LOCAL COMPREHENSIVE PLANS section) Each local comprehensive plan is reviewed by Department staff, and a written notice of areas of deficiency is returned to the local education agency. Through this initial screening, the Department staff responsible for monitoring special education programs are alerted to possible cases of noncompliance with state and federal requirements; site visits are made as necessary.

The Annual Survey reports the number and type of special education programs and support services which the local education agency plans to implement in the following fiscal year. A three-year projection of programs also is included. State categorical special education funds are encumbered for the local education agency on the basis of this report.

In combination, the local comprehensive plan and the Annual Survey serve as the major portion of the local education agency's application for funding under Part B, Education of All Handicapped Children Act (P.L. 94-142). An approved plan must be on file by October 15 in order to receive Part B funds for that fiscal year.

Personnel Approval

In order to qualify for state categorical reimbursement, each local education agency must submit the name, social security number, and position of all *special teachers*, for example, teachers, paraprofessionals, and support personnel. The qualifications of each person named shall be verified by the Special Education Administration Section. Updates of this list shall be submitted in July, September, January, and May. Categorical reimbursement is prorated for personnel employed after September 15.

Categorical reimbursement also is prorated for personnel employed less than full-time. Unless approved by the Special Education Administration Section, no reimbursement will be made for staff employed less than half-time. Approval of such requests will take into consideration the nature of the service to be provided and the local education agency needs. Supportive therapies for low incidence populations is one example of the type of request that will be approved.

Program Approval

Other variables affecting program approval — for example, class size, facilities, curricula — shall be assumed to be approvable until proven otherwise. Complaints involving alleged non-compliance with program standards as set forth in the Plan shall be made in writing to the Special Education Administration Section. If, upon investigation by representatives of this section, non-compliance is established, the local education agency shall be warned and given one year in which to remedy the specific deficiencies cited.

ACCREDITATION OF SPECIAL PURPOSE SCHOOLS

Definition

Special purpose schools are those that are —

(1) Accredited private nonprofit corporations or foundations serving exceptional children within or without the state of Kansas.

(2) Accredited state institution education programs within or without the state which serve exceptional children.

Kansas State Department of Education Accreditation Procedure

Initial requests for accreditation as a special purpose school, as well as subsequent organization reports and self study reviews, shall be directed to the Special Education Administration Section.

On-site visits will be made to determine eligibility for accreditation as a special purpose school. The criteria set forth in Bulletin 401 shall be the basis for accreditation. Any recommendations for or against accreditation shall be filed with the Special Education Administration Section. The recommendations will be forwarded to the State Board of Education for action. (See Bulletin 401)

Kansas State Department of Education Approval

To be approved as a special purpose school, the school must be accredited by an agency of the state of Kansas or by the state in which the private school or institution is located. If the accrediting or approving agency is outside of the Kansas State Department of Education, the school or institution shall also be subject to approval by the Special Education Administration Section. The curriculum must meet criteria set by the Special Education Administration Section and approved by the State Board of Education. Such approval shall be obtained each year.

D. FEDERAL PROGRAMS FOR SPECIAL EDUCATION

INTRODUCTORY STATEMENT

The United States government is committed to the education of handicapped children who are defined as *mentally retarded, hard of hearing, deaf, speech impaired, learning disabled, visually handicapped, seriously emotionally disturbed, crippled or other health impaired... who by reason thereof require special education and related services.* Because of this commitment, federal legislation has been enacted to provide funds for the promotion of increased and improved educational opportunities for handicapped learners. Through certain federal programs, state and local education agencies are given additional support both through funding and through administrative guidelines to provide special education services within the states.

SUMMARY OF FEDERAL SPECIAL EDUCATION PROGRAMS

The federal monies received by the state of Kansas for handicapped children are used to supplement state and local funds in providing comprehensive services. The use of these funds varies with the authority as defined by law. The following federal funds are available for the implementation or support of special education services.

(1) *P.L. 93-380, Title I, Section 101, Elementary and Secondary Education Act, Grants to Local Education Agencies*

Title I funds are available to schools serving areas with concentrations of children from low-income families. In Kansas, priority is given to projects which focus on compensatory reading and mathematics programs for preschool and primary age children who are educationally deprived. Title I funds may be used in designated attendance centers to provide certain special education services. In general, these services must extend beyond and not replace those required by law.

(2) *P.L. 93-380, Title I, Subpart 2, Section 121, Elementary and Secondary Education Act, State Operated Programs: Programs for Handicapped Children (P. L. 89-313)*

This amendment to Title I allocates funds to state institutions and child care centers which provide educational programs for handicapped children. The allocation is made on the basis of average daily attendance of those children in educational programs with consideration for the priority of needs of eligible handicapped children. Monies allocated to an agency under this act are intended to follow the child should he/she move to another special education program.

(3) *P.L. 93-380, Title IV, Part C, Elementary and Secondary Education Act, Educational Innovation and Support (Formerly Title III, E.S.E.A.)*

Not less than 15 percent of the funds granted under Title IV-C must be used for special education programs. Local education agencies may submit proposals which demonstrate new or improved ways to meet the educational needs of handicapped children. Grant awards are made on a competitive basis.

(4) *P.L. 94-142, Education of All Handicapped Children Act - Grants to States for Education of the Handicapped (Formerly Title VI-B)*

Local education agencies and state education agencies are eligible for Title VI-B funds to assist them in providing for the education of all handicapped children. Each state's entitlement is based on the number of handicapped children within the state who are receiving free and appropriate special education services. Beginning in Fiscal Year 1979, 75 percent of the state's entitlement is designated for pass-through. Funds retained at the state will be awarded on a competitive basis and are intended to serve as stimulation grants.

Title VI-B funds must be expended in accord with the priorities of the act, such as, first for handicapped children currently receiving no educational services and second to the most severely handicapped receiving inadequate educational services.

State operated schools and nonpublic schools are not eligible for Title VI-B funds. However, handicapped children attending nonpublic schools must have the opportunity to receive the benefits of any Title VI-B project operated by local education agencies.

(5) *P.L. 91-230, Title VI, Education for the Handicapped Act, as amended*

(a) *Regional Education Programs for Severely Multiply Handicapped/Deaf-Blind Persons*

Various regional programs and services are funded for the purpose of aiding the states in programming for severely multiply handicapped/deaf-blind individuals. Kansas is currently served by the Mountain Plains Regional Center for Handicapped Children, Denver, Colorado. Through a grant award from this center, diagnostic and educational services are provided to eligible children.

(b) *Centers and Services*

The Midwest Regional Resource Center, Des Moines, Iowa, which serves the state of Kansas, is funded under this authority. Resource centers provide technical assistance to states in planning and implementing services to handicapped children.

(c) *Personnel Training*

This part of the act authorizes federal grants to state education agencies to assist them in providing in-service training for personnel in the area of special education. Summer traineeships are provided to individuals entering priority areas of special education or upgrading competencies in these areas. Additionally, short-term special study institutes are held to improve the competencies of special education personnel.

(d) *Specific Learning Disabilities (Formerly Title IV-G)*

These funds are awarded on a contract basis through the United States Office of Education for the development and replication of research validated educational intervention techniques for children with specific learning disabilities.

(6) *P.L. 94-482 - Vocational Education Act*

At least 10 percent of each state's allotment of vocational education funds appropriated for any fiscal year shall be used only for vocational education programs for handicapped persons who, because of their handicapping condition, cannot succeed in the regular vocational education program without special educational assistance or who require a modified vocational education program.

STATE ADMINISTRATION OF FEDERAL PROGRAMS FOR EXCEPTIONAL CHILDREN

Consistent with the Bureau of Education for the Handicapped guidelines and the Kansas Legislative Study recommendations, the Kansas State Department of Education is responsible for the administration of all federal programs provided for the education of exceptional children. The Special Education Administration Section of the Kansas State Department of Education provides a major monitoring function for all approved federal projects concerned with the education of exceptional children. This monitoring function is carried out by various staff members with responsibilities in the area(s) of exceptionality with which the project is concerned. Project monitoring is designed to ensure compliance with adopted rules, regulations, and guidelines for special education programming.

FEDERAL PROGRAMS

Guidelines for the submission of applications and procedures for appealing applications that are not funded during the fiscal year in which they were submitted may be obtained from the appropriate section of the Kansas State Department of Education.

All project proposals for the education of handicapped children and youth under federal programs designated for that purpose must be reviewed and recommended for approval or disapproval by the Special Education Administration Section, Kansas State Department of Education. It is imperative that projects are consistent with and correspond to the *State Plan for Special Education.* For specific information regarding applications and/or projects for handicapped children funded by federal money, contact the Special Education Administration Section, Kansas State Department of Education.

Additional information on federal programs administered through the Kansas State Department of Education can be obtained in a publication entitled *Summary of Federal Programs Administered by the Kansas State Department of Education* available from the State and Federal Programs Administration Section (913) 296-2306.

E. STATE INSTITUTIONS

All educational programs provided for residents of state institutions shall comply with the ***Kansas State Plan for Special Education*** (K.S.A. 72-970). When contracts are negotiated between state institutions and local education agencies, accreditation and compliance standards shall be met.

ACCREDITATION

Special purpose schools housed on the campus of state institutions shall meet accreditation requirements of the Kansas State Department of Education in accordance with the standards set forth in K.A.R. 91-28-1 through 11.

ADMISSIONS

Placement in the youth centers, mental hospitals, and mental retardation facilities is primarily for treatment and therapy services, and not for educational purposes. In the youth centers, and in some cases the mental hospitals and mental retardation facilities, placement is involuntary and based on court decisions. The Kansas State School for the Deaf and the Kansas State School for the Visually Handicapped are principally educational in nature and individuals attending these schools are admitted primarily for educational training.

A. Youth Centers

The procedure for admissions into the Youth Center at Atchison, the Youth Center at Beloit, the Youth Center at Topeka, the Larned Youth Rehabilitation Center, the Osawatomie Youth Rehabilitation Center, and the Topeka Youth Rehabilitation Center is by Juvenile Court commitment for delinquency and miscreancy only.

B. Mental Hospitals

The procedure for admissions into the Larned State Hospital, Osawatomie State Hospital, Rainbow Mental Health Center, and Topeka State Hospital is outlined in the Mental Health Statutes for the state of Kansas which permits voluntary admission and court commitments. An independent team will determine the least restrictive alternatives for care and treatment.

C. Mental Retardation Facilities

The procedures for admissions into Kansas Neurological Institute, Parsons State Hospital, and Winfield State Hospital is through an appropriate Regional Office of the Kansas State Department of Social and Rehabilitation Services where all alternatives for placement are considered and where family and an appropriate mental retardation specialist agree that the state institution represents the *least restrictive alternative* for meeting the individual's needs.

D. Kansas State School for the Visually Handicapped (See VISUALLY IMPAIRED section)

Both visually impaired and the multi-handicapped visually impaired learners between the ages of five and twenty-one years may be admitted to the State school. Placement will be based on a comprehensive evaluation which indicates a need for educational services provided at the school.

E. Kansas State School for the Deaf

Hearing impaired learners between the ages of five and twenty-one years may be admitted to the State school. Placement will be based on a comprehensive evaluation which indicates a need for educational services provided at the school.

DUE PROCESS

In order to meet accreditation requirements and to protect the rights of children and youth, each special purpose school shall address the matter of Due Process in the local comprehensive plan which shall provide for hearings under an impartial hearing officer as set forth in this Plan.

CONTRACTS FOR SERVICES

Local education agencies may contract for special education services provided in special purpose schools at the previously named state institutions provided that such services are accredited by the Kansas State Department of Education, that such contracts are approved by the Commissioner of State Department of Education and the Secretary of Social and Rehabilitation Services, and that the local education agency agrees to pay all costs of said special education services to the institution with which the contract is negotiated.

DISMISSAL FROM INSTITUTIONS

With the exception of the Kansas State School for the Deaf and the Kansas State School for the Visually Handicapped, the formal procedures for forwarding the dismissal information during the process of reintegrating the child into the community lies through channels from the state institutions social worker members of the treatment team to the social worker in the Social and Rehabilitation Services Regional Office. This formal mechanism is supplemented by simultaneous referral to other local agencies including the local education agencies to which a child is referred for special education services. To facilitate appropriate planning, each referral should precede actual dismissal by at least thirty days. At this time the most recent Individualized Education Program should be forwarded to appropriate personnel in the local education agencies, as authorized by the Rights of Privacy Act.

When requested, the state institutions shall periodically provide to the Special Education Administration Section the name, type of handicapping condition(s), and school district of legal residence of all exceptional children placed in the institution or those children identified by the institution as exceptional.

Representatives of the child's local education agency may have access to the child's Individualized Education Program when visiting the special purpose school at the institution. If copies of the student's Individualized Education Program or other educational records are desired by the local education agency, permission for release of the records shall be obtained from the parent or lawful custodian.

F. RESULTS OF FISCAL YEAR 1978 STATE PLAN EVALUATION

In the spring of 1978, the Special Education Administration Section designed and conducted an analysis of the Individualized Education Program procedures in a random sample of local education agencies in Kansas. These data were used to assess the extent to which the objectives of the *Fiscal Year 1978 Special Education State Plan* were met and to answer questions about the implementation of IEP procedures within the state. The results of this analysis are summarized below. The first part of the summary addresses attainment of the *Fiscal Year 1978 Special Education State Plan* objectives and the second addresses local education agency IEP procedures. The *Fiscal Year 1978 Special Education State Plan Evaluation Report* which is available from the Special Education Administration Section, Kansas State Department of Education, Topeka, Kansas, details the IEP analysis procedure and results.

RESULTS OF ANALYSIS OF FISCAL YEAR 1978 STATE PLAN OBJECTIVES

Information contained on a random sample of IEP's was used to measure whether changes were actually occurring in the children being served. This evaluation procedure failed to produce data useful for assessing child change for the following reasons:

1. Data collection occurred prior to the time of annual review for most children's IEP's. Documentation of progress toward instructional objectives was included on only 25 percent of the records examined.
2. Fifty-two percent of the IEP's reviewed did not contain evaluation criteria by which pupil progress could be measured.

It is anticipated that the IEP will become a good source of information to measure child change. However, Fiscal Year 1978 was the first year of formal IEP development for each exceptional child. Local education agencies were faced with the near impossible task of holding IEP conferences and writing programs for over 35,000 children. As IEP procedures become an ongoing part of instruction and school personnel gain experience in using these procedures, the IEP should provide a more reliable measure of the impact of special education services on the educational progress of exceptional children. The goals and objectives for each program area in the *Fiscal Year 1978 Special Education State Plan* and the results for each objective are reported.

1. MENTAL RETARDATION FISCAL YEAR 1978 GOALS AND OBJECTIVES

Program Goal

Individuals identified as mentally retarded shall develop and actually use problem solving skills to function on an independent basis (with support required for level of capability) in daily living experiences.

Objectives

A. By the end of Fiscal Year 1978, 65 percent of the children who are in programs for mentally retarded will be demonstrating that they can relate to and independently solve specific everyday problems from actual life situations.

B. By the end of Fiscal Year 1978, 65 percent of the graduating seniors in the area of semi-independent (educable) mentally retarded will have successfully participated in an actual work experience outside of school or training situation and/or be a full-time employee upon graduation.

Results

Objective A:

There were not sufficient data collected to address this objective.

Objective B:
Of the 314 graduates, 236, or 75 percent, had secured employment or were enrolled in skill training immediately following graduation. These positions ranged from skill training in a work activity setting to establishing an independent business.

2. SEVERELY MULTIPLY HANDICAPPED/DEAF-BLIND FISCAL YEAR 1978 GOALS AND OBJECTIVES

Program Goal

Children and youth identified as severely multiply handicapped/deaf-blind in institutional settings and local school districts will be involved in a full-day of educational activities and support services and will show improvements in the six curriculum areas.

Objective

A. By the end of Fiscal Year 1978, 40 percent of the 345 identified severely multiply handicapped/deaf-blind children will show *one program step* improvement in three of the six curriculum areas: motor, language, socialization, academic, self-help, and vocational, as measured by examination of objectives indicated as met on their IEP's.

One program step represents performance of a task in a sequence of tasks, the set of which represents a function deemed critical for the child to be able to perform.

Results

Objective A was only partly addressed with the IEP analysis conducted during Fiscal Year 1978. Ten percent of these IEP's showed that over 50 percent of the short term objectives had been achieved.

3. PHYSICALLY IMPAIRED FISCAL YEAR 1978 GOALS AND OBJECTIVES

Program Goal

Children and youth identified as physically impaired will function effectively in educational and life situations which are as nearly normal as possible.

Objectives

A. By the end of Fiscal Year 1978, 80 percent of the students who are in programs for the physically impaired will have met 80 percent of the social/academic/physical objectives delineated on their IEP's.

B. By the end of Fiscal Year 1978, 75 percent of the students who are in programs for the physically impaired will be spending at least three hours per school day in the regular classroom.

Results

Objective A:
A small sample of IEP's for physically impaired were included in the analysis. An average of 8.9 short term objectives were written on each of these IEP's. A total of 14 percent of the short term objectives written were indicated as met.

Objective B:
Of the IEP's for physically impaired that specified the amount of time the children were to spend in regular education, 50 percent indicated that the child was to spend 3 hours or more per day in the regular education classroom. The average reported was 2.3 hours per day.

4. LEARNING DISABILITIES FISCAL YEAR 1978 GOALS AND OBJECTIVES

Program Goal

Children and youth identified as learning disabled will develop remedial/compensatory/problem solving skills to enable them to function effectively in society.

Objectives

A. By the end of Fiscal Year 1978, 80 percent of those exceptional children who are in programs for the learning disabled will have met 80 percent of the academic/social/physical objectives delineated on the IEP's.

B. By the end of Fiscal Year 1978, 95 percent of those exceptional children who are in programs for the learning disabled will be spending at least three hours per day in the regular classroom.

Results

Objective A:

Eleven percent of the IEP's for the learning disabled children in the analysis showed that 80 percent or more of the short term objectives written had been met. A total of 26 percent of the short term objectives written were indicated as met on the IEP's. An average of 9.2 short term objectives were written.

Objective B:

Sixty-two of the Learning Disabled IEP's reported the amount of time the child was to spend in regular education. Of these IEP's 84 percent indicated that the child was to spend 3 hours or more per day in the regular education classroom. The average reported was 4.3 hours per day.

5. HEARING IMPAIRED FISCAL YEAR 1978 GOALS AND OBJECTIVES

Program Goal

Children and youth identified as having a functional hearing loss will be able to make maximum use of their residual hearing.

Objective

A. By the end of Fiscal Year 1978, 50 percent of the children with a functional hearing loss sufficient enough to require services of a hearing specialist will be spending at least one hour per day in the regular classroom.

Results

Objective A:

Of the IEP's for the hearing impaired reporting the amount of time the child was to spend in regular education, 50 percent indicated that the child was to spend 1 hour or more per day in the regular education classroom. The average reported was 2.1 hours per day.

6. GIFTED FISCAL YEAR 1978 GOALS AND OBJECTIVES

Program Goal

Students identified as gifted shall develop and utilize their unique abilities for the benefit of themselves and society.

Objective

A. By the end of Fiscal Year 1978, 80 percent of the students who are in programs for the gifted will have met 80 percent of the objectives related to their knowledge, problem solving, and creative abilities as delineated on their IEP's.

Results

Objective A:

A total of 11 IEP's for the gifted were included in the analysis. Of these IEP's 18 percent showed that 80 percent or more of the short term objectives written had been met. A total of 42 percent of the short term objectives written were indicated as met on the IEP's. The average number of short term objectives written on each of the IEP's for the gifted was 3.0.

7. PERSONAL AND SOCIAL ADJUSTMENT PROGRAMS FISCAL YEAR 1978 GOALS AND OBJECTIVES

Program Goal

Children and youth identified as having emotional and social problems will be able to function acceptably in regular classrooms and in their home settings.

Objectives

A. By the end of Fiscal Year 1978, 80 percent of those exceptional children who are in personal and social adjustment programs will meet 80 percent of the objectives related to their social and emotional behavior as delineated on their IEP's.

B. By the end of Fiscal Year 1978, 50 percent of those exceptional children who are in personal and social adjustment programs will be spending at least three hours per day in the regular classroom.

Results

Objective A:

A total of 40 percent of the short term objectives written on these IEP's were indicated as met. The average number of short term objectives written on each IEP for children with personal and social adjustment problems was 16.6. Of the IEP's reporting the amount of time the child was to spend in regular education, 33 percent indicated that the child was to spend three hours or more per day in the regular education classroom. The average reported was 2.7 hours per day.

8. VISUALLY IMPAIRED FISCAL YEAR 1978 GOALS AND OBJECTIVES

Program Goal

Each student identified as having a visual impairment shall receive his/her instruction in the least restrictive alternative program which is appropriate to his/her individual needs and abilities.

Objective

A. By the end of Fiscal Year 1978, 60 percent of the visually impaired students in local programs will be maintained in regular class placement six hours per day with special education support.

Results

Objective A:

Of the IEP's for the visually impaired reporting the amount of time the child was to spend in regular education, 22 percent indicated that the child was to spend 6 hours per day in the regular education classroom. The average reported was 4.0 hours per day.

9. SPEECH AND LANGUAGE FISCAL YEAR 1978 GOALS AND OBJECTIVES

Program Goal

Children and youth identified as having speech and language problems will be able to engage more successfully in conversational speech as a result of speech/language correction.

Objective

A. By the end of Fiscal Year 1978, one-fourth of the children with speech/language problems will be dismissed from therapy with correction errors of 2 percent or less during conversational speech.

Results

Objective A:

Data from all speech and language programs are being tabulated to assess the degree to which this objective was met. The results will be reported in next year's plan.

10. SCHOOL PSYCHOLOGY FISCAL YEAR 1978 GOALS AND OBJECTIVES

Program Goal

Exceptional children receiving services of school psychologists will be able to relate more successfully to their environment as a result of appropriate assessment, improved self-concept, and/or school and social behavior.

Objectives

A. By the end of Fiscal Year 1978, 100 percent of the children receiving special education services will have had a comprehensive evaluation (including a psychological evaluation) as defined in the Plan and as indicated on the child's IEP (with the exception of those receiving only speech/language services for whom a comprehensive evaluation is deemed inappropriate).

B. By the end of Fiscal Year 1978, 80 percent of those exceptional children whose IEP designates the school psychologist as actively involved in the child's program will meet 80 percent of the objectives dealing with psychological problems, as measured on their IEP's.

Results

Objective A:

With few exceptions the IEP's examined contained useful, appropriate child evaluation sections. The special education services specified on 78 percent of the IEP's were judged to be appropriate, based on the evaluation data given for the child. The corresponding inference is that comprehensive evaluations were conducted as required by law.

Objective B:

A total of five IEP's included in the analysis contained short term objectives related to psychological problems and involving intervention by the school psychologist. Of these IEP's, two (40 percent) indicated that more than 80 percent of the objectives dealing with psychological problems had been met.

11. SCHOOL SOCIAL WORK SERVICES FISCAL YEAR 1978 GOALS AND OBJECTIVES

Program Goal

Exceptional children and youth receiving services of school social workers will show improved school/home behavior.

Objective

A. By the end of Fiscal Year 1978, 80 percent of those exceptional children whose IEP's designate that a school social worker was actively involved in their programs will meet 80 percent of the IEP objectives related to their school/home social behavior as measured on their IEP's.

Results

Objective A:

Analysis of all 393 IEP's in the study revealed that no short term objectives were written for implementation by a school social worker.

12. SPECIAL EDUCATION INSTRUCTIONAL MATERIALS CENTER (SEIMC) FISCAL YEAR 1978 GOALS AND OBJECTIVES

Program Goal

Teachers shall improve skills in selecting and using instructional media appropriate to the needs of each individual exceptional child.

Objective

A. During Fiscal Year 1978 through 1980, 60 percent of the exceptional children receiving special education in Kansas will have the availability of the specific instructional materials and equipment from the SEIMC's needed to implement their IEP's.

Results

Objective A:

Sixteen cooperatives and districts in Kansas operate instructional materials centers and serve a total of 46,416 exceptional children, or 61 percent of the exceptional children served in Kansas during Fiscal Year 1978.

13. ADMINISTRATION OF SPECIAL EDUCATION FISCAL YEAR 1978 GOALS AND OBJECTIVES

Program Goal

Optimal administration of special education for all school districts/cooperatives in Kansas will be provided.

Objectives

A. By Fiscal Year 1979, school districts/cooperatives will employ 65 certified directors of special education and 30 certified supervisors of program areas (representing roughly a 10-15 percent increase over Fiscal Year 1977 figures).

B. By the time of the first Program Approval and Compliance Section review, 80 percent of the local directors of special education will have adequately completed their local comprehensive plans as specified in adopted state procedures.

Results

Objective A:

Personnel reports indicate that there were 64.2 directors of special education and certified supervisors and administration assistants employed in Fiscal Year 1978.

Objective B:

In Fiscal Year 1978, 100 percent of the local directors of special education completed their local comprehensive plans as specified.

In summary, the data show that objectives in five of the program areas were met as stated. Although the attainment of criterion levels for the other program areas could not be documented, the IEP study indicates that positive child changes occurred in all areas of exceptionality.

In conjunction with the IEP document analysis, a random sample of over 60 parents and instructional staff of exceptional children were interviewed about their involvement in the services to the children and their perceptions about the delivery of special education services in Kansas. These data have not been statistically analyzed, but preliminary review indicates a high level of support and involvement by the parents included in the study. It is known that in 69 percent of the cases included in the sample, parents were involved in the IEP development.

The objectives in the Fiscal Year 1979 Evaluation Plan Section have been rewritten to more accurately represent the desired child performances, and measurements other than the IEP's will be used to assess child change.

Results of Analysis of the Local Education Agencies' IEP Systems

The second area of evaluation proposed in the *Fiscal Year 1978 Special Education State Plan* was examination of the IEP procedures implemented by the local education agencies. Five evaluation questions were posed. All five were addressed in the IEP analysis previously described. Each question is listed and a summary of the results is reported below.

Question 1: What types of persons were present during development of the written IEP?

The question was whether the required participants were in attendance at the IEP meeting to make decisions regarding planned learning outcomes and services for the child.

The data indicate that Kansas is in compliance with P.L. 94-142 regarding the required numbers and types of persons in attendance at the IEP meeting.

Question 2: Were the special education services to be provided to each exceptional child specified?

In general, IEP's were judged to be inadequate in describing planned services. This shortcoming will be addressed as part of the in-service training provided by the Special Education Administration Section.

The final three questions address the quality of the goals and objectives written on the IEP's:

Question 3: What number, type, and quality of short-term objectives were written on the IEP's?

An average of 10.5 short-term objectives were written on each IEP included in the analysis. These objectives most frequently focused on the academic, social, or speech/language functioning of the child. Most objectives were judged to describe specific behaviors related to the stated goal. However, only one-half of the sets of objectives built toward the goal in sequential intermediate steps.

Question 4: Did the IEP specify 1) criteria for the amount of behavior required for short-term objective attainment, and 2) plans for data collection to measure pupil progress?

Half the short-term objectives were judged not to have criteria specified, and more than half were judged not to have measurement plans. These factors, both critical to measurement of short-term objective attainment, will be addressed through in-service training to the local education agencies from the Special Education Administration Section.

Question 5: Did professional staff indicate whether the objectives were being achieved?

On the average four out of every 10.5 short-term objectives were indicated as having been met. Fifty-three percent of the IEP's did not include any record of pupil progress. In some cases, this was felt by the reviewers to be a fault of the IEP format used. Furthermore, the analysis was conducted prior to the dates of the mandatory annual IEP review. Thus, this figure of 4 out of 10 objectives indicated as met cannot be used as an index of pupil gains.

In addition to surveying IEP documents from each local education agency included in the analysis, the evaluators interviewed parents of exceptional children in each local education agency.

Seventy-eight percent of the parents interviewed stated that they had participated in the development of their child's IEP; 63.1 percent described their participation as active; for example, they expressed opinions, suggested instructional goals, asked for or provided information; 94 percent felt that they received a clear and understandable description of their child's current school performance; and 89.5 percent expressed satisfaction with the nature of the special education services provided. Seventy-eight percent stated that these services had produced positive pupil changes during the school year. Only 5.3 percent of the parents felt that the goals and objectives set for their child were inappropriate.

A significant number of parents did not or could not respond to questions about the impact of the IEP on their child's education, an omission which suggests a need to assist parents, and perhaps school personnel, in understanding how the IEP should be used as a management tool to assure appropriate programming and instructional progress.

In summary, local education agencies have installed procedures for developing IEP's as required by state and federal law, but there is great variability in the quality and effectiveness of these procedures. The IEP is not yet universally used as a management tool to improve the planning and delivery of services to exceptional children.

The Fiscal Year 1978 IEP data are being analyzed further. The Special Education Administration Section will use this information to identify areas where local education agencies are in need of assistance in developing or adjusting procedures to be more in line with the intent of P.L. 94-142, that is, to provide quality services to exceptional children.

G. FISCAL YEAR 1979 EVALUATION PLAN

This evaluation plan is intended to serve as a guide for special education program evaluation activities in Fiscal Year 1979. It proposes specific measurement plans for examining the performance of local education agencies as they provide special education services to exceptional children. Two areas of performance are addressed in separate subsections. Justification for the evaluation of each area is provided, evaluation questions are listed, and measurement plans are described.

AREA 1:

Impact of local education agency programs on exceptional children served. This area was also addressed in the *Fiscal Year 1978 Special Education State Plan Evaluation Report.*

Justification:

Local education agencies have been providing services to exceptional children for a number of years. Such stable, longstanding programs warrant the examination of the impact they are having on children.

Evaluation Questions: The evaluation questions relate to whether or not the objectives of the *Fiscal Year 1979 Special Education State Plan* are attained as stated in the following subsection.

LIST OF FISCAL YEAR 1979
STATE PLAN GOALS AND OBJECTIVES

This subsection contains the Fiscal Year 1979 State Plan goals and objectives for each program area. The objectives for program areas 2, 3, 4, 5, 6, 7, 8, 10, and 11 have been rewritten significantly from the previous year. The objectives now reference general areas of child performance where improvement in performance is intended and where data collection strategies will now be focused. In Fiscal Year 1979, the Department will assist local education agencies to develop and conduct evaluations which are designed to measure the impact that their special education services are having on exceptional children. Data, thus collected locally, will be aggregated by the Special Education Administration Section in the spring of 1979. The aggregated child performance data will be used to address the attainment of these Fiscal Year 1979 objectives.

1. MENTAL RETARDATION FISCAL YEAR 1979 GOALS AND OBJECTIVES

Program Goal

Individuals identified as mentally retarded shall develop and actually use problem solving skills to function on an independent basis (with support required for level of capacity) in daily living experiences.

Objectives

A. In the 1978-79 school year, 65 percent of the children who are in programs for semi-independent and semi-dependent mentally retarded (at all levels of instruction) will be demonstrating that they can relate to and independently solve specific everyday problems from actual life situations.

B. In the 1978-79 school year, 90 percent of the graduating seniors in the area of semi-independent (educable) mentally retarded will have successfully participated in actual supervised work experience outside of school or training situation (special education facility) and/or be a full time employee upon graduation.

C. In the 1978-79 school year, 40 percent of the semi-dependent (trainable) mentally retarded graduates completing the transition program to adult living will have successfully participated in supervised work experience (outside the instructional facility setting), or at graduation will be entering a supervised skill training program or be employed as a means of making a financial contribution to own sources of livelihood.

2. SEVERELY MULTIPLY HANDICAPPED/DEAF-BLIND FISCAL YEAR 1979 GOALS AND OBJECTIVES

Program Goal

Children and youth identified as severely multiply handicapped/deaf-blind in institutional settings and local education agency services will be involved in a full-day of educational activities and support services and will show improvement in the six curriculum areas.

Objectives

A. By the end of Fiscal Year 1979, 75 percent of the severely multiply handicapped/deaf-blind children in programs will show *one program step* improvement in three of the six curriculum areas: motor, language, socialization, academic, self-help, and vocational, as measured by examination of growth charts or graphs.

One program step represents performance of a subtask within an overall objective for the student. *(For example, if the objective is sitting without support, an initial program step might be "hold his head up without support for five minutes").*

3. PHYSICALLY IMPAIRED FISCAL YEAR 1979 GOALS AND OBJECTIVES

Program Goal

Children and youth identified as physically impaired will function effectively in educational and social situations.

Objective

By the end of Fiscal Year 1979, 80 percent of all children who are in programs for the physically impaired will demonstrate academic performance commensurate with their estimated potential.

4. LEARNING DISABILITIES FISCAL YEAR 1979 GOALS AND OBJECTIVES

Program Goal

Children and youth identified as learning disabled will develop remedial/compensatory/problem solving skills to enable them to function effectively in society.

Objective

By the end of Fiscal Year 1979, 80 percent of all children who are in programs for the learning disabled will demonstrate improved academic performance.

5. HEARING IMPAIRED FISCAL YEAR 1979 GOALS AND OBJECTIVES

Program Goal

Children and youth identified as having a functional hearing loss will be able to make maximum use of their residual hearing.

Objective

By the end of Fiscal Year 1979, 80 percent of the children with a functional hearing loss sufficient enough to require the services of a hearing specialist will demonstrate improved academic performance and communcation skills.

6. GIFTED FISCAL YEAR 1979 GOALS AND OBJECTIVES

Program Goal

Students identified as gifted shall develop and utilize their unique abilities for the benefit of themselves and society.

Objective

By the end of Fiscal Year 1979, all children who are in programs for the gifted will demonstrate intellectual and creative abilities which exceed regular classroom expectations.

7. PERSONAL AND SOCIAL ADJUSTMENT PROGRAMS FISCAL YEAR 1979 GOALS AND OBJECTIVES

Program Goal

Children and youth identified as having emotional and social problems will function effectively in educational and life situations which are as normal as possible.

Objective

By the end of Fiscal Year 1979, 80 percent of those children who are in personal and social adjustment programs will demonstrate improved behavior in the school situation.

8. VISUALLY IMPAIRED FISCAL YEAR 1979 GOALS AND OBJECTIVES

Program Goal

Children and youth identified as having visual impairments will function effectively in educational and life situations which are as normal as possible.

Objective

By the end of Fiscal Year 1979, 80 percent of all exceptional children who are in programs for the visually impaired will demonstrate improved academic performance and mobility skills.

9. SPEECH AND LANGUAGE FISCAL YEAR 1979 GOALS AND OBJECTIVES

Program Goal

Children and youth identified as having speech and language problems will be able to engage more successfully in conversational speech as a result of speech/language correction.

Objective

By the end of Fiscal Year 1979, 25 percent of the children with speech/language problems will be dismissed from therapy with correction errors of 2 percent or less during conversational speech.

10. SCHOOL PSYCHOLOGY FISCAL YEAR 1979 GOALS AND OBJECTIVES

Program Goal

School psychologists will provide assistance to school staff in both regular and special education in the development of a positive learning climate and in the improvement of the educational achievement and adjustment of children.

Objective

During Fiscal Year 1979 school psychologists will spend at least 20 percent of their time in consultation with instructional staff regarding the improvement of the educational services provided to children.

11. SCHOOL SOCIAL WORK SERVICES FISCAL YEAR 1979 GOALS AND OBJECTIVES

Program Goal

Exceptional children and youth receiving services of school social workers will show improved school/home behavior.

Objective

By the end of Fiscal Year 1979, 50 percent of the parents of exceptional children receiving the services of a school social worker will demonstrate increased involvement with their child's education in the home setting.

12. SPECIAL EDUCATION INSTRUCTIONAL MATERIALS CENTER (SEIMC) FISCAL YEAR 1979 GOALS AND OBJECTIVES

Program Goal

Teachers will improve skills in selecting and using instructional media appropriate to the needs of each individual exceptional child.

Objective

During Fiscal Year 1979, 20 percent of the exceptional children receiving special education in Kansas will have used specific instructional materials and equipment from the SEIMC's which are needed to implement their IEP's.

13. ADMINISTRATION OF SPECIAL EDUCATION FISCAL YEAR 1979 GOALS AND OBJECTIVES

Program Goal

All exceptional children in Kansas will receive a free appropriate public education.

Objectives

A. By the end of Fiscal Year 1979, 100 percent of the exceptional children projected by the local education agencies as needing special education services will be receiving the appropriate special education services.

B. By the end of Fiscal Year 1979, 80 percent of all Kansas special education local education agencies will have organized in-service training plans for upgrading the competencies of personnel serving exceptional children and youth.

14. EARLY CHILDHOOD EDUCATION FISCAL YEAR 1979 GOALS AND OBJECTIVES

Program Goal

The Department will develop administrative structures which will facilitate the implementation of early childhood education for the handicapped.

Objectives

A. By the end of Fiscal Year 1979, 25 percent of the local education agencies in Kansas shall have completed an assessment of the educational needs of their preschool handicapped children.

B. By the end of Fiscal Year 1979, the Department of Education, with input from statewide interagency advisory committees, will develop standards for approval of programs for Early Childhood Education for the Handicapped and for certification of teachers in Early Childhood Education for the Handicapped.

C. By the end of Fiscal Year 1979, the Kansas State Board of Education will have adopted standards for approval of programs and certification of teachers in Early Childhood Education for the Handicapped.

Measurement Plan:

Kansas State Department of Education staff members with expertise in the various categorical areas will assist with 1) the analysis of each program area objective to determine which specific performances will be measured to assess the objective, 2) the definition of specific measurement plans, and 3) the implementation of these measurement plans. All special education staff are expected to spend a designated amount of time for specialty area considerations, including the evaluation of programs.

AREA 2:

The local education agencies' procedures for the screening, evaluation, placement, and review of exceptional children. This area is an expansion of the IEP analysis addressed in the *Fiscal Year 1978 Special Education State Plan Evaluation Report.*

Justification:

Local education agencies are required to develop and implement these procedures so that:

1. All children needing special education are located and identified;
2. All exceptional children will have access to appropriate and adequate services; and
3. Professionals providing services to exceptional children will plan these services and monitor delivery of these services in a more systematic fashion.

Because these procedures are mandated and because they interact so closely with direct service functions of the local education agency, they will be evaluated.

Evaluation Questions:

The evaluation questions which will be addressed are as follows:

1. Do local education agencies' screening and evaluation procedures effectively locate and identify all children in need of special education services?
2. Do local education agency procedures place children in appropriate service programs?
3. To what extent are exceptional children receiving all of the special education services which they need?
4. Do local education agencies have procedures for developing and monitoring an individualized educational program for each identified exceptional child?

Measurement Plan:

Questions 1, 2, and 3 will be answered through interviews or surveys of a random sample of local education agency staff and parents of children served. Question 4 will be answered through an analysis of IEP documents randomly selected in a sample of local education agencies in Kansas. The data collection procedure employed in Fiscal Year 1978 by the State Department will serve as a valuable experience to assist with the development and implementation of the Fiscal Year 1979 analysis.

IV. LOCAL EDUCATION AGENCY OPERATIONS

SUMMARY OF RESPONSIBILITIES OF LOCAL EDUCATION AGENCIES

INTRODUCTORY STATEMENT

Across the nation, recent legislative actions and court decisions have reflected a concern for individuals whose unique needs have not been met by the public schools. Following the national trend of providing equal opportunity for all, the 1974 Kansas Legislature enacted the Special Education for Exceptional Children Act (K.S.A. 1974 Supp. 72-961 through 72-982, and K.S.A. 72-933) which requires *educational services which will contribute to the development of each exceptional child in this state in accordance with his abilities and capacities.* Pursuant to implementation of this act, local education agencies and other agencies concerned with the education of exceptional children are charged with specific responsibilities. The following list summarizes these responsibilities:

Each local education agency shall —

(1) Initiate screening and identification procedures to determine which children within the district are in need of special education services.

(2) Provide free appropriate special education services for all exceptional children of school age.

(3) When necessary, transport exceptional children to and from special education services.

(4) Adopt due process and confidentiality policies regarding exceptional children which conform to state and federal requirements.

(5) **Provide supervision and administration for special education services.**

(6) **Submit annually to the Special Education Administration Section an update or revision of the local comprehensive plan for providing special education services and other required reports.**

(7) Maintain information activities which alert the public to the needs of exceptional children, their educational rights, and the availability of special education services.

ADMINISTRATIVE OPTIONS FOR PROVIDING SPECIAL EDUCATION SERVICES

In order to comply with the requirements of the Special Education for Exceptional Children Act and this Plan, each board of education shall have the authority to:

(1) Establish approvable special education services. These services may be provided within its schools, in the home, hospital, or other facility.

(2) Enter into cooperative agreements with one or more other school districts for special education services. (See COOPERATIVE AGREEMENTS section)

(3) **Contract with another local education agency for special education services. (See CONTRACTUAL ARRANGEMENTS section)**

(4) Contract with any accredited private nonprofit corporation or any public or private institution within or without the state which has approved special education services. (See CONTRACTUAL ARRANGEMENTS section)

Each local education agency shall have access to information relative to the progress of any exceptional child who is a legal resident of the district when that exceptional child is receiving educational services through contractual arrangements with other districts or special purpose schools.

When an exceptional child is admitted to a state institution, the district of legal residence may have access to the child's IEP when visiting the special purpose school at the institution. If copies of the student's IEP or other educational records are desired by the local education agency, permission for release of the records shall be obtained from the parent or lawful custodian.

The local education agency will be notified by the state institution at least 30 days prior to placement of an exceptional child back in the home community. (An exception may be made for emergency discharges.) At that time representatives of the local education

agency and the special purpose school shall review the current IEP to determine those special education services needed for successful reintegration into the community.

SCREENING AND IDENTIFICATION OF EXCEPTIONAL CHILDREN

Each local education agency shall initiate screening procedures to identify all school age children who may have special needs and who will require a more thorough evaluation. These screening procedures shall include outreach efforts aimed at locating all unserved children, such as, children who are receiving no educational services. When screening indicates that a child may be in need of special education services, further evaluation shall be provided. (See SCREENING, EVALUATION, PLACEMENT AND REVIEW section)

PROVISION OF SPECIAL EDUCATION SERVICES

Scope of Services

By July 1, 1979, the board of education of each local education agency shall provide a comprehensive special education program which offers a continuum of education and related services for all exceptional children of school age whose legal residence is within that district. Exceptional children are defined in K.S.A. 72-962 as those who *differ in physical, mental, social, emotional or educational characteristics to the extent that special education services are necessary to enable them to progress toward the maximum of their abilities or capacities*. Such children include the mentally retarded, specific learning disabled, cerebral palsied, epileptic, gifted, hearing impaired, language impaired, speech impaired, personally and socially maladjusted, physically and other health impaired, severely multiply handicapped/deaf-blind, and visually impaired. Expanded definitions of the various areas of exceptionality are provided in the program areas of this document.

Services for exceptional children shall be implemented at the age at which the local board of education provides educational services for nonexceptional children. Services for preschool children are authorized, but not mandated, and nothing herein shall be construed to prevent the use of local funds or state special education categorical funds for such preschool programs. Services shall be extended through the school year during which the exceptional child reaches age twenty-one or until he/she has completed a local curriculum, in accordance with the State Board of Education standards, whichever event shall first occur. (See STATE DEPARTMENT ADMINISTRATION AND SUPERVISION section)

Local education agencies may, and are encouraged to, provide programs for exceptional children prior to the age of regular schooling. Preschool programs for exceptional children have been authorized by law since 1969. This authority is under K.S.A. 72-67, 115.

Support/related services are those services which are required to assist an exceptional child to benefit from special education instruction *or* to assist the exceptional child to be maintained in the regular program. Such support services shall be provided and shall include such areas as speech/language, vocational programs, school psychology, school social work, audiology, recreation, occupational therapy, physical therapy, and parent or student counseling. Medical services for diagnostic or evaluation purposes shall be included.

Status of Previous Special Education Mandates

The following special education services mandated prior to the Special Education for Exceptional Children Act remain unchanged by the new legislation.

(1) **By July 1, 1974, the board of education of every school district shall provide educational services for mentally retarded, specific learning disabled, cerebral palsied, and epileptic children as specified in the Developmentally Disabled Children's Act of 1973** (K.S.A. 1974 Supp. 72-933).

(2) Each school board shall provide basic vision screening without charge to every pupil in its school not less than once every two years as specified in K.S.A. 72-5205.

(3) Each school board shall provide basic hearing screening without charge to every pupil in its schools during the first year of admission and not less than once every three years thereafter as specified in K.S.A. 72, Article 12.

Time line for the Special Education for Exceptional Children Act

Under Kansas law, each local education agency shall provide services to all exceptional children of school age by July 1, 1979. Under federal law (P.L. 94-142) free and appropriate education must be provided to all handicapped children three through eighteen years by July 1, 1978, and to all handicapped children three to twenty-one years by July 1, 1980. However, in Kansas, due to an exemption clause in the federal law, services to children ages three to school-age are permissive. Therefore, any local education agency wishing to receive funds under the Federal Act must provide services to all school age handicapped children by July 1, 1978. Local education agencies will have until July 1, 1979, to provide services to gifted children.

TRANSPORTATION TO SPECIAL EDUCATION SERVICES

Local education agencies shall be responsible for providing transportation for exceptional children in mandated special education services and may claim state special education reimbursement for 80 percent of the actual transportation cost. Such transportation shall conform to the least restrictive environment concept; that is, transportation shall be by conveyance most similar to that normally provided for non-exceptional children. The children who are able to walk to school or ride the regular school bus should continue to do so.

The responsibility of the local education agency extends to transportation of children to services not provided in the local education agency, such as the state schools or contracted services in special purpose schools. If it is necessary for a local education agency to contract with parents or other public or private agencies for transportation to such services, the local education agency may claim state special education reimbursement and, in turn, reimburse the person or agency providing the transportation.

DUE PROCESS

Each local education agency shall adopt a due process policy which guarantees exceptional children and their parents procedural safeguards in decisions regarding identification, evaluation, and educational placement. These due process policies shall conform to state and federal guidelines as set forth in PROCEDURAL DUE PROCESS section and shall be placed on file in the Special Education Administration Section.

CONFIDENTIALITY

Each local education agency shall adopt and have on file in the Special Education Administration Section a statement of confidentiality of records which guarantees privacy to student records. This statement of confidentiality shall conform to state and federal guidelines as set forth in the CONFIDENTIALITY section.

GRADUATION RECOGNITION

An exceptional student shall be eligible for graduation from high school upon completion of State Board requirements as specified in K.A.R. 91-2-6 E-1 through 5 and shall receive the same graduation recognition as nonhandicapped students.

K.A.R. 91-2-6 also authorizes local boards of education to set alternative graduation requirements. It states that such alternative graduation policies shall have State Board approval prior to implementation in the district. Any such alternative graduation requirements shall include one unit of American history and at least one-half unit of American government, including the Constitution of the United States (K.S.A. 72-1103). These units may be adapted to meet needs of given exceptional children.

Any local board developing alternative graduation requirements shall utilize broad based community involvement, particularly local advisory councils. Any alternative educational program shall be specified in the exceptional student's individual educational program (IEP). Under this alternative, the exceptional student also shall receive the same graduation recognition as any other graduating student.

LOCAL ADMINISTRATION AND SUPERVISION OF SPECIAL EDUCATION

When the local education agency reaches a student population of 5,000 pupils and has programs for four or more areas of exceptionality, a full-time director of special education shall be employed. It is recommended that a program coordinator or supervisor be employed when special education instruction staff in any categorical area is ten or more. (See LOCAL ADMINISTRATION AND SUPERVISION OF SPECIAL EDUCATION section)

COMPREHENSIVE PLAN AND ANNUAL SURVEY

By August 15 of each year, each local education agency shall submit to the Special Education Administration Section an update or revision of its plan for providing comprehensive special education services. The local comprehensive plan shall include a report of the current status of local special education services and a three year projection of program revision or expansion. Each year as the local education agency implements the first year of its projected activities, the plan shall be updated and a new three year projection made. This updated plan shall reflect progress made in special education services and changes in local needs. The local education agency shall appoint a special education advisory committee to assist in formulating the comprehensive plan. (See LOCAL COMPREHENSIVE PLANS section)

INFORMATION ACTIVITIES

Each district/cooperative shall regularly provide information to the public concerning the needs of exceptional children, their educational rights, and the availability of special education services. This may be accomplished through newspaper articles, television or radio coverage of school activities, and brochures of special education services.

A. ADMINISTRATIVE RESPONSIBILITIES

1. LOCAL ADMINISTRATION AND SUPERVISION OF SPECIAL EDUCATION

ADMINISTRATION OF SPECIAL EDUCATION

Centralized administration of special education services at the local level is necessary in order that the various programs for exceptional children may be coordinated and efficiently operated either within a single school district, through cooperative special education programs where a sponsoring school administers the program and the participating districts are involved on a shared-cost basis, or where several districts enter into an interlocal agreement. (See COOPERATIVE AGREEMENTS section)

The administrator of special education has the responsibility for the exceptional student's education program in the local education agency and should be given authority to implement the program. The administrative authority in a special education cooperative rests with the sponsoring district; and all special education employees are subject to the same rights, privileges, policies and/or limitations that are directed by the board of education of the sponsoring school. It is necessary that special education be integrated into the regular school system and that there be optimal use of community, state, and federal resources.

Size of District

When a school district or a cooperative reaches a population of five thousand pupils and has programs for four or more areas of exceptional children education, a full-time director of special education shall be employed. Special approval for employment of a full-time director may be given to a director of special education for less population than that stated or for fewer programs than indicated above, if such program is in the process of being initiated and developed and much of the director's time is spent in needs assessment and laying the foundation for program plans.

Responsibilities

The following are the major responsibilities of the local administrator of special education. There may be others included, and some or several of those listed may well be delegated to other members of the special education staff.

(1) Assessing needs of special education programs.
(2) Preparing a comprehensive local special education plan.
(3) Assisting in the selection and hiring of the special education personnel.
(4) Implementing state and federal mandates.
(5) Maintaining adequate accounting procedures and completion of federal and state reports.
(6) Providing leadership in curriculum development.
(7) Conducting staff conferences and other in-service functions.
(8) Assisting in planning and implementation of preschool, post-school, and in-service training programs.
(9) Maintaining good public and community relations.
(10) Acting as an advocate to obtain services for exceptional children.
(11) Assuring availability of special materials and equipment.
(12) Providing leadership in program evaluation and follow-up.
(13) Budgeting and arranging financial resources for special education.

SUPERVISION OF SPECIAL EDUCATION

The director of special education is the principal administrator of the special education program. There may also be supervisors/coordinators hired for supervising the given specialty areas. Supervisors/coordinators in charge of given specialities shall meet the training requirements in the area that they are supervising. A supervisor/coordinator is a consultant with regard to specialty area and will usually have administrative responsibility in the specialty area. Such specialty areas shall include both direct instructional and supportive services.

Each local education agency should design a plan for assuring appropriate supervision based on the strengths and weaknesses in the local situation. It is recommended that provisions be made for:

(1) Adequate supervision of and consultative assistance to personnel in designated areas of exceptionality.

(2) Close planning between special education and general school administrative and supervisory staff.

When a special education program has ten or more professional staff in an area of exceptionality and/or the total special education staff exceeds twenty, a supervisor should be assigned. When supervisors are assigned part-time coordination activities, they shall be given release time from their other duties.

REIMBURSEMENT

The reimbursement schedule for administrators and supervisors of special education follows the same schedule as for all approved special education teachers. If the minimum requirements of training are met, the directors and supervisors shall be eligible for reimbursement providing they are employed one-half time or more in the director or supervisor/coordinator position. Assignment for less than one-half time will not be approved.

2. LOCAL COMPREHENSIVE PLANS

INTRODUCTORY STATEMENT

The Kansas State Department of Education is charged by K.S.A. 1974 Supp. 72-971 with obtaining *data necessary for review of the progress or lack thereof made in special education services for exceptional children and to assess future needs for providing special education services on a more comprehensive, expert, economic and efficient basis.* Clearly, state planning must be based on the reality of local conditions. In order that both state and local programming may be coordinated, it is necessary for the Department to request local education agencies to submit needs assessment data and a comprehensive plan for special education services.

The requirements of the Education of All Handicapped Children Act (P.L. 94-142) closely parallel those of Kansas special education statutes. Therefore, a local education agency's local comprehensive plan, or update thereof, shall be used to determine that district's eligibility to receive pass-through funds under P.L. 94-142. The content of the local comprehensive plan, as prescribed in this section, meets the requirements of local education agency applications set forth in the Federal act.

PURPOSE OF THE LOCAL COMPREHENSIVE PLAN

The provision of appropriate educational services to all exceptional children requires systematic planning at both state and local levels. This plan delineates the parameters within which local education agencies must operate in order to comply with the Special Education for Exceptional Children Act. Each local education agency shall develop specific goals, policies, and procedures by which it will implement the act. By setting down these goals, policies, and procedures, the local education agency —

(1) Provides a structure for the development of quality special education services,
(2) Informs patrons of available and planned services,
(3) Demonstrates progress toward full educational opportunity for exceptional children, and
(4) Provides a vehicle for self-evaluation and evaluation by state or federal regulatory agencies.

Since the needs of children must serve as the basis for planning and initiating special education services, accurate information relative to these needs also is required. Needs assessment data shall be an integral part of each local plan or update thereof. Through compilation of local needs assessment data, the Kansas State Department of Education annually shall show the total number of exceptional children in the state as mandated in K.S.A. 1974 Supp. 72-971 and report to the U.S. Commissioner of Education on the status of special education services as required by P.L. 94-142. Other state and local education agency operations for which these data are needed include the following:

(1) Planning, programming, and budgeting;
(2) Justification of state and federal budget requests;
(3) Determination of the extent to which mandated services for exceptional children are being provided;
(4) Projection of numbers and kinds of special education and support personnel needed;
(5) Identification of other resources needed, for example, facilities, materials, and equipment; and
(6) Indication of needed legislative actions.

LOCAL SPECIAL EDUCATION ADVISORY COMMITTEE

In accordance with P.L. 94-142 (121a.226), each local education agency shall appoint a special education advisory committee comprised of parents or guardians of exceptional children. This practice will facilitate communication and participation by parents and educators in the local planning to meet the needs of exceptional children. Members of the committee shall be appointed jointly by the local school administration and the local parent organizations and shall be approved by the local board of education. A major function of the local special education advisory committee shall be to assist in formulating and updating the local comprehensive plan.

In addition to parent representation on the local special education advisory committee, additional representation is encouraged. Valuable input can be gained from such groups as community organizations, private schools, special education and regular education professionals, special education students, work activity centers or sheltered workshops, and day care centers.

LOCAL EDUCATION AGENCY RESPONSIBILITY

By August 15 of each year, each local education agency shall submit to the Special Education Administration Section a statement of its plan for providing comprehensive special education services. The local comprehensive plan shall include a report of the current status of local special education services and a projection of program revision or expansion showing the time line for implementing mandated special education services. Each year as the local education agency implements the first year of its projected activities, the plan shall be updated and a new projection made. This updated plan shall reflect progress made in special education services, changes in local needs, and revisions of local policies or procedures, as well as new state and federal requirements. Those portions of the plan which are unchanged shall be incorporated in the annual update by reference. Each plan shall be endorsed by the local board of education or, in the case of special education cooperatives, by the cooperative board. In the latter case, endorsement shall ensure that the plan has been endorsed by the local board of each participating district and reviewed by the local advisory committee.

CONTENT OF LOCAL COMPREHENSIVE PLAN

The comprehensive plan of education services to all exceptional children submitted to the Special Education Administration Section shall include the following:

(1) A statement of the local education agency's philosophy and/or general goals regarding the education of exceptional children. This statement should address the local education agency's commitment to making a free and appropriate educational program available to each handicapped child regardless of the severity of his/her handicapping condition.

(2) Local needs assessment data reported on the forms specified:

  (a) The types of alternative placements available to exceptional children within each category (End-of-Year Report).

  (b) The number of exceptional children within each category who are receiving services in each placement option (End-of-Year Report).

  (c) The number of exceptional children within each category who are in need of, but not receiving, special education services (Annual Survey Form).

  (d) The time line for providing appropriate special education to all exceptional children within each category (Annual Survey Form).

(3) A description of any barriers or constraints which may prevent the local education agency from meeting the 1974 Developmental Disabilities mandate, the 1978 mandate of P.L. 94-142, or the 1979 Special Education for Exceptional Children mandate.

(4) Description of procedures for determining which children are in need of special education and related services including the following:

  (a) Screening procedures which:

    (1) Describe procedures used for implementing hearing and vision screening as mandated by K.S.A. 72-1205 and K.S.A. 72-5205, including persons responsible.

(2) Describe or list other procedures or instrumentation used to locate children who may be in need of special education and who require further evaluation.

(b) Procedures for locating children not enrolled in school who may be in need of special education, for example, unserved preschool or school age children and children enrolled in private schools.

(c) System by which children are referred for evaluation.

(d) Procedures for comprehensive student evaluation including steps taken to make provision for:

(1) Notification of parents, in parents' primary mode of communication, of intent to evaluate;

(2) Obtainment of parental consent to evaluate;

(3) Multidisciplinary evaluation;

(4) Non-discriminatory testing;

(5) Multisourced evaluation, such as use of procedures/instrumentation which take into account the cognitive, social, emotional, and psychomotor aspects of the child's functioning;

(6) Assurance that each special education student will be given a comprehensive evaluation and his/her case considered by the full staffing committee for placement and review at least every third year (annually for Personal and Social Adjustment students).

(5) Description of placement and review policies and procedures including:

(a) Structure of the staffing committee for placement and review.

(b) Procedures for the formulation and implementation of written individualized educational program for each exceptional child which include the following:

(1) Assurance that the IEP meeting involves the following participants:

(a) A representative of the school, other than the child's teacher(s), who is qualified to provide, or supervise the provision of, special education;

(b) The child's teacher(s);

(c) One or both of the child's parents;

(d) The child, where appropriate; and

(e) Other individuals at the discretion of the parents or the school.

(2) Present levels of educational performance.

(3) Special education and related services needed without regard to availability.

(4) Projected dates for initiation of services and the anticipated duration of services to be provided.

(5) The extent to which the child will participate in regular educational programs or other less restricted environments.

(6) Annual goals which describe the educational performance anticipated by the end of the school year.

(7) Statement of short-term (nine to twelve weeks) objectives which are measurable intermediate steps between the present level of performance and the annual goals.

(8) Objective criteria and evaluation procedures for determining, at least every twelve weeks, whether short-term objectives are being achieved.

(9) Listing of the names and positions of the individuals responsible for implementation of the individualized educational program.

(c) Policies for developing individualized educational programs for children referred to or placed in accredited special purpose schools.

    (d) Time lines for developing individualized educational programs for children currently receiving special education and for children determined to be eligible for special education services.
    (e) Procedures for checking the progress of students terminated from special education services and returned to regular education programs.
    (f) Procedures for assuring that physical education services especially designed if necessary, are made available to every handicapped child.
    (g) Procedures for assuring participation of special education students in non-academic and extracurricular services and activities.

(6) Policies regarding graduation of exceptional students.

(7) Policies regarding facilities to assure:
    (a) Appropriateness,
    (b) Accessibility, and
    (c) Least restrictive environment.

(8) Description of in-service activities to upgrade the competencies of professional and paraprofessional staff including methods for determining areas in which in-service training will be provided.

(9) Description of Program Evaluation Plans which include the following:
    (a) Statement of those program areas where actual program operation and/or impact will be examined during the approaching fiscal year. Program areas addressed shall include the amounts and types of education services provided to the number and types of exceptional children served, the costs of these amounts and types of services (the human and material resource costs encountered while mounting each service type), and the changes produced in the exceptional children receiving these education services.
    (b) Statement of data collection plans for the approaching fiscal year designed to produce program performance data addressing each program area specified in (a).

(10) A copy of the local education agency's policy on the confidentiality of personal and identifiable information on exceptional children.

(11) A copy of the local education agency's policies on due process in the evaluation and placement of exceptional children.

(12) A statement of endorsement of the local comprehensive plan or update thereof by the local board of education.

(13) A copy of the local education advisory committee's comments on the local comprehensive plan.

3. LEAST RESTRICTIVE ALTERNATIVES

Sufficient educational alternatives shall be provided to meet the diverse needs of children and youth with various types and degrees of exceptionality. Therefore, local education agencies must implement a service continuum which provides an array of placement options for exceptional learners. For example, one student may require only specialized materials and be able to function in the regular education program, whereas another student may require the very intensive services provided in a severely multiple handicapped program. The total program developed by each local education agency or in conjunction with other agency services shall —

(1) Include a series of service levels, as needed, on a progressive scale from least to most intensive.

(2) Provide for moving learners from one level to another in accordance with the least restrictive environment principle; for example, learners are placed where they benefit most at the least distance from mainstream society. Exceptional learners are moved toward more intensive service levels only as far as necessary; all exceptional learners are moved toward the mainstream as soon as possible.

The least restrictive environment for an exceptional student is one in which the student can achieve the highest levels compatible with his/her capabilities. It may be an intensive level of service but, for reason of the exceptionality alone, should not remove the student completely from the mainstream of activities of his/her age peers.

The service continuum developed by each local education agency should reflect the pupil, community, and school-related variables specific to that local education agency's situation. The following administrative plans are commonly suggested as points on a total service continuum. These plans and combinations thereof will be considered by the Special Education Administration Section for approval. Each child must receive a comprehensive evaluation and an individualized education program prior to placement in any of these administrative plans except for hospital instruction or homebound instruction.

HOME-BASED INSTRUCTION

Home-based instruction is an instructional alternative for preschool children. For all young children, the parent(s) are part of the instructional team, and parental involvement is always a strong component of home-based instruction. Home-based instruction involves a teacher traveling to the home to teach the handicapped child and to instruct the parent(s) in techniques of the educational intervention. A combination of home and center based instruction may be employed.

SPECIAL INSTRUCTIONAL MATERIALS AND/OR EQUIPMENT ONLY

After completion of a comprehensive evaluation, it is often determined that some learners require only special instructional materials or equipment for progress in the educational mainstream; for example, a visually impaired student may need nothing more than large print reading materials. This is a minimal special education service. Periodic monitoring of pupil progress is necessary to ensure that the degree of support is sufficient.

CONSULTING TEACHER PLAN

The consulting teacher is a certified special education teacher whose role is to facilitate the maintenance of exceptional children in the regular educational setting with their peers. The consulting teacher functions as an instructional specialist who may work across several areas of exceptionality. The main thrust of this program is to assist classroom teachers to develop their own educational diagnosis, prescriptive decisions, and delivery of treatment. Direct service to children is limited to short-term instruction carried out with individual children in their classrooms for the purpose of demonstrating special techniques to their teacher. No more than one-third of the consulting teacher's time is devoted to direct child instruction. Because of the heavy responsibility placed on personnel serving as

consulting teachers, this plan will be approved on an individual basis until definitive **guidelines are developed.**

ITINERANT TEACHER PLAN

The itinerant teacher provides direct service to learners enrolled in the regular classroom. The major role of the itinerant teacher is to provide specialized individual and small group instruction, although some time is devoted to consulting with regular teachers. Whenever possible, child instruction should be done in the classroom setting in order to facilitate communication between the specialist and the regular teacher. Adequate facilities should be available for instructional activities which cannot be appropriately carried out in the classroom. The itinerant teacher also provides direct services to handicapped children or those children who are returning to the regular classroom after a period of time in an intensive program.

The itinerant teacher may be scheduled to serve in two or more schools. Caution should be used, however, to ensure the most efficient use of the teacher's time. Excessive travel time or scheduling which does not allow enough time for coordination with the regular classroom teacher may reduce the effectiveness of the program.

RESOURCE ROOM PLAN

In the resource room plan, the exceptional learner is enrolled in a regular education program, but goes to a specially equipped room to receive part of his instruction from a special teacher. The resource room teacher is responsible not only for his/her own classroom, but also for maintaining communication with students' regular classroom teachers. Like the itinerant teacher, he/she provides both instructional and consultative services. This implies that scheduling must allow for work with other teachers. The amount of time spent by students in the resource room depends upon individual needs. However, the intent of the plan, which is to provide supportive assistance to exceptional learners in the educational mainstream, is violated if children spend most of their time in the resource room.

INTEGRATED SPECIAL CLASSROOM

In the integrated special classroom program, exceptional children are assigned to a special class, but receive most academic instruction in regular classes. The extent of integration is determined by learners' individual capabilities. The special education teacher is responsible for monitoring the progress of his/her students in regular classes and providing appropriate support. The major difference between this program and the resource room plan is that in the resource room the pupil is enrolled in a regular education program.

SELF-CONTAINED SPECIAL CLASS

Learners requiring a specialized curriculum are served in this program. They are enrolled in a special class and receive most educational programming from special education personnel. Like regular students, they engage in total school activities, such as school clubs, assemblies, and sports, and, whenever possible, participate in the regular education program. This is the most restrictive special education plan for the public school setting.

SPECIAL DAY SCHOOLS

Special day schools are generally designed to provide specialized curricula; modified facilities and equipment; and/or interdisciplinary, ancillary, medical, psychiatric, and social services for exceptional children. Day care centers, work activity centers, or sheltered workshops are common types of special day schools. Local education agencies may contract with accredited special day schools for services to children or youth for whom the program is appropriate. Local education agencies may also employ a teacher to work in the special day school setting. Inasmuch as exceptional children enrolled in special day schools are segregated from their normal peers, this alternative should be used only when the unique needs of a learner cannot be met within the public school system. It is the responsibility of the local education agency to monitor student progress and to facilitate re-entry into the public schools whenever possible.

RESIDENTIAL SCHOOLS

A few handicapped children profit most from the intensive and comprehensive services provided by residential facilities. The total residential treatment program should include educational experiences which optimize the learner's ability to cope with his environment, and the ultimate goal should be to return learners to the community and the public schools. Cooperative agreements between residential centers and local education agencies can increase the program variations available to children and youth. Some learners may not require residential placement, but may benefit from the residential educational program. Others who reside at the center may be able to function successfully in the public school setting.

HOSPITAL INSTRUCTION

In this program students confined to hospitals or convalescent homes for psychiatric or medical treatment receive individual or group instruction from a special education teacher. Training requirements for the certified teacher utilized will depend upon the nature of the population served. This teacher serves both children with chronic disorders and those recovering from accidents or illness who are hospitalized for short periods of time. Satisfactory programming requires a team approach involving the physician, other hospital personnel, and the school to which the student will return when he has sufficiently recovered.

HOMEBOUND INSTRUCTION

Homebound instruction is appropriate for children and youth whose health problems are so serious that school attendance is impossible, or for those temporarily disabled by an illness, operation, or accident. In some cases, students with severe and/or unusual handicapping conditions may receive short-term homebound instruction as a temporary measure until more appropriate arrangements can be made. Instruction in the home is provided by an approved teacher(s). Frequent re-evaluation of pupils on a homebound program is necessary. Discretion in the use of this plan is necessary, and long-term arrangements should be avoided. This is the most segregated of all special education plans.

4. COOPERATIVE AGREEMENTS

INTRODUCTORY STATEMENT

Districts may comply with the mandate to provide special education services by entering into cooperative agreements with other school districts. Two types of cooperative agreements are permitted by Kansas law: special educational cooperative agreements (K.S.A. 72-968) and interlocal agreement (K.S.A. 72-8230 - K.S.A. 12-2904). Advantages of a cooperative plan include quality programs at less cost per child, a broader range of services, and provision for exceptional children in the low incidence categories. These advantages are best realized when cooperative agreements are used to implement comprehensive special education services. Each existing special education cooperative, in order to be considered comprehensive, should employ a director of special education who is qualified by standards set forth by the State Board of Education in the Certificate Handbook. It is recommended that districts providing services through special education cooperative agreements take steps to become comprehensive by 1979. Steps taken in this direction should be outlined in the projections contained in the local comprehensive plan. It is recognized that the problems involved in programming for children with low incidence disabilities may require additional cooperative arrangements for service to such children.

SPECIAL EDUCATION COOPERATIVE AGREEMENTS

A sponsoring district special education cooperative (K.S.A. 72-968) is a plan whereby the boards of two or more school districts within or without the state may enter into an agreement to provide special education services on a shared-cost basis. In these agreements one district shall be designated the sponsoring district; the remaining district(s) shall become participating districts. The board of education of the sponsoring district is the legal body of the cooperative under the Special Education for Exceptional Children Act for the purpose of operation and administration in providing education services. It is strongly recommended that special education cooperatives be comprehensive (includes a full range of services).

Cooperative Board of Directors

The cooperative board of directors is advisory in nature and does not have the power of a board of education of a unified school district. They may recommend certain policies and procedures, priorities, and budgeting which are later to be acted upon by the board of education of the host district.

Application for Approval

The application for approval of the special education cooperative contracts should be sent to the Director of Special Education Administration Section for initial review. The Commissioner of Education will make a recommendation to the State Board of Education for final approval. It is suggested that the cooperative agreements be finalized and submitted prior to May 15 each year.

Cooperative Agreement

The contract shall include the following:

(1) Identification of contracting districts:
  (a) Sponsoring district and
  (b) Cooperating district(s).
(2) Program description, program justification, and listing and description of services to be rendered.
(3) Number of children in each district to be served by this program.
(4) Cooperative formula to determine amount to be paid by each district on a shared-cost basis.
(5) Dates on which payments will be made.
(6) Specifications of disposal of property upon the termination of the cooperative agreement.

(7) Statement of the contract period. Cooperative and interlocal contracts shall be for a period not less than three years and not more than five years.
(8) Statement of affirmative action policy (civil rights assurance).
(9) Signatures of designated representatives of the board of education of each of the participating parties.
(10) Such items as constitution and by-laws, teacher contracts, salary schedules, and budgets, which can be attached as addenda to the contracts.
(11) Assurance of due process.

SPECIAL EDUCATION INTERLOCAL AGREEMENTS

Under the authority of K.S.A. 12-2904 and K.S.A. 72-8230, school districts may center into interlocal agreements and estalish a separate legal entity to provide certain educational services. Any legal entity established under this permissive act which relates to education services shall be limited to one or more of the following: special education, vocational education, career education, media services, curriculum development, and in-service training for staff programs. The establishment of a board of directors to provide special education services does not absolve individual districts of their responsibilities as specified In K.S.A. 1978 Supp. 72-933 *et seq.* and the ***State Plan for Special Education.***

Application for Approval

Districts wishing to form an interlocal cooperative shall make application to the State Board of Education. After review by the State Board and the Attorney General's office, the application shall be submitted to the State Board for approval. It is suggested that the interlocal agreement be finalized and submitted before the date on which annual surveys are due.

Board of Interlocal District

The board of directors of an interlocal district shall be composed of at least one member from the board of education of each school district which enters into any such agreement. The function of such board shall be to cooperatively establish policies and procedures for implementation of the special service(s) for the cooperative. The responsibilities of the board shall include planning, setting priorities, budgeting, and recommending courses of action relative to the implementation of the special education service(s) and due process hearings. An interlocal board shall have the power and duties of a unified school district excluding the power of taxation. (See K.S.A. 72-8230(f).)

TERMINATION OR REVISION

Any cooperative or interlocal agreement is subject to change or termination at any time by the legislature or by mutual agreement among the districts themselves (K.S.A. 72-968 and K.S.A. 12-2904(C)(5). Possible contract changes would include adding or deleting a district, adding or deleting a service, or the changing of any of the financial details. Any revisions or terminations must be approved through the Commissioner and the State Board of Education.

5. CONTRACTUAL ARRANGEMENTS

INTRODUCTORY STATEMENT

To provide special education services which are most appropriate for each child, the public schools have been given the authority to utilize various avenues in the development of quality programs. These alternatives include the establishment of special education services within a district, the formation of multi-district special education cooperatives, interlocal districts, or certain specific contractual arrangements. K.S.A. 1978 Supp. 72-967 authorizes districts to contract with special purpose schools (accredited private nonprofit corporations, or public or private institutions) and with other school districts within or without the state for special education services. State institutions may contract with individual school districts, a cooperative host district or interlocal districts for special education services under the authority of K.S.A. 1978 Supp. 72-970. The following regulations apply to all such contractual arrangements.

GENERAL CONSIDERATIONS

Kansas Authority

As stated in K.S.A. 1978 Supp. 72-6760, *No expenditures involving an amount greater than one thousand dollars ($1,000) shall be made by the board of education of any school district, except in accordance with the provisions of a written contract.*

Approvable Services

Unified school districts, cooperatives, interlocal districts, and state institutions may contract only for special education programs which meet standards and criteria set by the State Board of Education. For out-of-state services, the contract shall be with an agency or district that is approved or accredited by the Kansas State Department of Education.

Approval of Contractual Arrangements

Three executed copies of the contracts for public school or special school services shall be filed with and approved by the Commissioner of Education. Local districts shall be notified by the Commissioner of his action.

All contracts shall specify the following:

(1) Contracting parties.
(2) Authority for contract (refer to K.S.A. 1978 Supp. 72-967 or K.S.A. 1978 Supp. 72-970).
(3) Statement that the agencies offering services are accredited or approved by the State Board.
(4) Names of children to be served. *Note:* Confidentiality of these names shall be maintained by all parties holding copies of the contract.
(5) Supportive services provided (in addition to educational program).
(6) Length of contract. All contracts must be approved annually.
(7) Cost of contracted services.
(8) Provision for termination of contract for nonperformance or lack of funding.
(9) Means by which sending agency will implement individual education program procedures and monitor pupil progress.
(10) If the contract is between two school districts, agreement that the sending district will count the child for state, and other financial reimbursement.
(11) If the contract is between a state institution and a local education agency, specification of the federal education of the handicapped support program (P.L. 92-142 or P.L. 89-313) under which the child will be counted for state/local entitlements.

COUNTING PUPILS FOR STATE AND FEDERAL AID

Whenever an exceptional child is educated by a special school through a contractual arrangement (private nonprofit corporation or public or private institution) or by another school district under the provision of K.S.A. 72-967, such child shall be considered a pupil of the child's home district. As a pupil of the sending district, he/she shall be counted to the same extent as other pupils of the district for the purpose of determining entitlements and participation in all state, county, and other financial assistance or payments to the school district.

Whenever the education of an exceptional child, is contracted by a school district with a state institution under the provision of K.S.A. 72-970, such child may be counted either by the state institution for support under P.L. 89-313 or by the school district for support under P.L. 94-142. In no case may the child be counted by both agencies. It is recommended that the contracting agencies cooperatively determine the more advantageous federal funding source. This determination must be specified in the contract submitted to the Kansas State Department of Education.

When pupils are sent to out-of-state facilities, they may be counted by the sending district for state equalization aid. Such handicapped pupils may also be counted for support under P.L. 94-142 as well as for state categorical special education funding.

6. REIMBURSEMENT AND FINANCES

DEFINITION OF SPECIAL TEACHER

Special teacher is defined as:

(1) (a) A teacher employed by a school district for special education services who is certified by the State Board of Education to instruct exceptional children.

(b) Special education supportive personnel certified by the State Board of Education, such as school psychologists, school social workers, speech clinicians, and audiologists.

(c) Special education supportive or instructional personnel, such as occupational therapists, physical therapists, work placement or rehabilitation specialists, music therapists, art therapists, counselors, early childhood personnel, and nurses, who hold current certification from their respective licensing or registering agents appropriate for their special work.

(d) Other supportive or instructional personnel for which there is no licensing or registering agent may be approved on an individual basis by the Special Education Administration Section if they are employed to work with exceptional children and are recommended for such employment by their parent training institution, for example, adaptive physical education, perceptual motor, recreation, and early childhood.

(2) A paraprofessional qualified to assist certificated teachers in the instruction of exceptional children as determined by standards established by the State Board of Education and who is so approved by the State Board of Education.

INTRODUCTORY STATEMENT

The costs of special education services are frequently in excess of, or in addition to, the cost of educating the average child. Some excess costs are due to the special diagnostic procedures, low pupil/teacher ratios, special equipment and materials, and ancillary services which are required to meet the exceptional needs of handicapped or gifted learners. Also, the low incidence of certain handicapping conditions and the unequal distribution of children needing services may require unusual transportation arrangements which increase the expense of educating exceptional children. Recognizing these facts, the Kansas Legislature has, since 1951, appropriated state funds to assist school districts in establishing and maintaining special education programs. Local education agencies that provide special education services in compliance with this Plan shall be entitled to receive in accordance with K.S.A. 1977 Supp. 72-978 (a) a portion of the travel allowances of special teachers; (b) a portion of the travel expenses incurred in transporting exceptional children or, in lieu of pupil transportation, a portion of the actual expenses incurred for the maintenance of exceptional children at a place other than their residence; and (c) reimbursement for approved program units.

SPECIAL EDUCATION REIMBURSEMENT FORMULA

Each year in accordance with K.S.A. 1977 Supp. 72-978, pupil and teacher transportation and maintenance in lieu of transportation reimbursement are subtracted from the total State Special Education Fund. The remaining funds are divided by the number of approvable special education full-time teacher equivalencies (FTE) to obtain the per unit amount of reimbursement. One FTE equals 1,080 clock hours. Each approved paraprofessional unit as defined in 72-962 (h) shall be counted as one-half full-time equivalent special teacher. No special teacher or paraprofessional in excess of the ratio of special teacher to exceptional children authorized by the State Board of Education for the school district shall be counted in making computations under this act.

The following example illustrates the special education reimbursement formula. Given State Special Education funds of $22,000,000, transportation claims amounting to

$2,740,000 and 4,000 approvable full-time teaching equivalencies the formula would be:

$$\frac{\textbf{total funds - transportation costs}}{\textbf{full-time teaching equivalencies}} = \frac{\$22{,}000{,}000 - \$2{,}740{,}000}{4{,}000} =$$

$4,815 per FTE unit reimbursement

The above amounts do not represent actual figures for appropriations, claims, or FTE unit reimbursements.

COUNTING SPECIAL EDUCATION PUPILS FOR STATE, COUNTY, AND OTHER FINANCIAL ASSISTANCE

Entitlements Other Than Special Education Reimbursement

Districts have authority to:

(1) Enter into cooperative agreements with one or more other school districts,
(2) Contract with any school district, and/or
(3) Contract with any special purpose school (accredited private nonprofit corporation or any public or private institution within or without the state) for special education services.

Whenever an exceptional child is educated in another district or in a special purpose school under the above provisions, such child *shall be considered a pupil of the school district of which he/she is a legal resident* for the purpose of determining regular state aid entitlement and other financial assistance and payments.

Special Education Reimbursement

Special education reimbursement for any program or exceptional child shall be in addition to any other state or county assistance to which the district is otherwise entitled. Districts that provide special education services for certain exceptional children through *approved contractual agreements with accredited special purpose schools* may receive special education reimbursement for these children on a prorated basis. The ratio of the number of children served to the average special class size for a given categorical area shall be used to figure the percentage of FTE unit reimbursement due to the district. Districts that provide special education services through *approved contractual agreements with other districts* may receive special education reimbursement for transportation only. It should be noted that tuition may be charged at a reasonable rate for nonresident pupils. Contracts between the sending and receiving parties must be approved by the State Commissioner prior to implementation of the service.

Children In State Institutions

When an exceptional child (1) meets the criteria for the admission to a state institution, (2) is admitted to the State institution, and (3) is housed, maintained, and receiving special education at a State institution, the child shall *not* be counted by the local school district, but instead *shall be counted by the institution* for any entitlements or financial assistance available to such institution.

ESTABLISHMENT OF SPECIAL EDUCATION FUND

Every local education agency shall establish a fund which shall be called the *Special Education Fund,* which shall consist of all monies deposited therein or transferred thereto according to law K.S.A. 72-7057. All special education expenditures shall be paid from this fund. While itemized claims are not required by the Kansas State Department of Education, accurate records must be kept by the local education agencies for auditing purposes. Such records should include expenditures and lists of supplies, equipment, transportation, contractual agreements, and funding sources used.

SPECIAL EDUCATION COOPERATIVES AND INTERLOCAL AGREEMENTS

Boards of education of two or more school districts, who enter into agreements to provide for cooperative special education services, may do so on a shared-cost basis as outlined and agreed to by all districts involved via a cooperative contract or an interlocal agreement.

In a cooperative contract, one district shall be designated as the sponsoring district and shall be responsible for submitting all necessary annual survey, reimbursement, and other forms deemed necessary by the Kansas State Department of Education. The sponsoring school district shall be recognized as the legal representative of any cooperative program.

In an interlocal agreement the special education cooperative becomes a legal entity. An interlocal board is formed and is responsible for all policies necessary to carry on the special education programs except that they do not have taxing authority.

In both the cooperative contract and interlocal agreement a special education fund is established. All districts will remit their contract obligations to the fund. Pupil transportation may be included or excluded as part of any cooperative agreement. If excluded, each district within the cooperative must submit its own Annual Survey Form and reimbursement requests for pupil transportation.

REQUIREMENTS FOR APPROVED PROGRAMS
(Full-Time Teaching Equivalencies)

Districts maintaining special classes in the public schools or providing special education services in any other manner shall receive state reimbursement if the classes, schools, or special education services are approved by the Kansas State Department of Education regarding the location, size of classes, facilities, conditions of admission and reassignment of pupils, equipment, courses of study, method of instruction, and qualifications of teachers. Districts maintaining a program less than full-time (1,080 clock hours) will be reimbursed on a prorated basis. Unless approved by the State Special Education Administration Section, no reimbursement will be made for staff employed less than half-time.

Summer School Programs

Summer school programs serving exceptional children are permitted and may receive special education reimbursement. Reimbursement will be prorated from the FTE unit reimbursement for the fiscal year according to the number of days or clock hours of instruction offered. In other words, a summer school program of 45 days/270 clock hours would receive reimbursement in the amount of one-fourth of the FTE unit reimbursement (180 days/1,080 clock hours) for the current fiscal year.

Preschool Programs

Preschool programs serving exceptional children (ages birth to school age) are permitted and may receive special education reimbursement. Reimbursement will be prorated from the FTE unit reimbursement for the fiscal year according to the number of days or clock hours of instruction offered.

TRANSPORTATION

Each school district which has provided approved special education services shall be entitled to receive reimbursement for the extra travel expenses incurred. Such extra expense may be incurred by special teacher/paraprofessional travel, pupil transportation, or pupil maintenance in lieu of transportation. Pupil transportation reimbursement shall be in an amount equal to 80 percent of the actual travel expenses incurred each school year. When transporting exceptional children, the district shall enforce applicable safety standards and should assure that adequate liability coverage is maintained. Travel time for each child should not exceed one hour each way (Kansas Administrative Regulations 36-13-1(2)) without parental consent.

Eighty percent of actual travel allowances paid to special teachers/paraprofessionals (not to exceed the rate specified in K.S.A. 1973 Supp. 75-3203) will be reimbursed each school year. When more than one teacher/pupil is transported in the same vehicle, the amount which can be claimed shall be based on the average cost per teacher/pupil utilizing this vehicle.

Teacher and Paraprofessional Travel Allowance

State reimbursement for actual travel allowance to special teachers shall not exceed the rate specified in K.S.A. 1974 Supp. 75-3203 (Amended) for each mile actually traveled during the school year in connection with teaching duties in providing special education services for exceptional children.

Reimbursement for teachers/paraprofessionals' travel may be paid (at the rate stated in K.S.A. 75-3203) for transportation to meetings, in-service workshops, special study institutes, or other professional meetings, provided such meetings are directly related to the teachers/paraprofessionals' functions in offering direct services to exceptional children. State reimbursement shall not exceed 80 percent of the actual travel expenses incurred per special teacher per school year. The same rate applies whether the travel is by the teachers/paraprofessionals' private car or by a school owned vehicle.

In-District Pupil Transportation by School Bus

The ordinary expense of transporting an exceptional child to a special education program housed in his/her regular attendance center shall be claimed under state transportation aid as specified in K.S.A. 72-7047. Special education reimbursement shall not be paid for any exceptional child who has been counted in calculating regular state transportation aid. Any *additional* cost incurred in transporting such a child to another attendance center where he/she receives special education services shall be reimbursed as specified in K.S.A. 1974 Supp. 72-978.

In other words, if an exceptional child:

(1) Would ordinarily be transported to his/her attendance center by the district's regular bus system, *and*

(2) Is transported by the district's regular bus system, *and*

(3) Is provided special education services in his/her regular attendance center,

he/she shall be counted in calculating regular state transportation aid and shall not be counted in calculating special education pupil transportation reimbursement.

If an exceptional child:

(1) Would ordinarily be transported to his/her attendance center by the district's regular bus system, *and*

(2) Is transported by the district's regular bus system, *and*

(3) Is provided special education services in an attendance center other than his/her regular attendance center,

he/she shall be counted in calculating regular state transportation aid for the distance to his/her regular attendance center. Travel expenses incurred in transporting such an exceptional child from his/her regular attendance center to the attendance center in which special education services are provided shall be counted in calculating special education transportation reimbursement.

Special education in-district pupil travel reimbursement shall be paid at 80 percent of the actual travel expenses. When more than one exceptional child is transported by the same vehicle, the amount claimed shall be based on the average cost per pupil utilizing this vehicle. For example, if the actual cost per year to transport five students is $700.00, reimbursement would be 80 percent of $700.00 or $560.00.

Pupil Transportation by Special Vehicle

Some exceptional children have handicapping conditions that make travel by regular school bus unrealistic and that require special arrangements for transportation. Such means may include taxicabs, automobiles, and specially equipped buses or vans. The administrative unit is responsible for making and scheduling arrangements for such transportation and assuring that planned schedules are met. The responsible school

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authority shall assure that all applicable safety standards are enforced, and should assure that adequate liability coverage is maintained. Parental consent shall be obtained if travel time for any child exceeds the limitations set forth in general transportation rules and regulations.

When more than one exceptional child is transported by the same mode of transportation, the amount which can be claimed shall be based on the average cost per pupil utilizing this vehicle.

The cost for modification of authorized school district vehicle to accommodate handicapped children or provision of special equipment, such as ramps and hoists, is reimbursable, subject to prior approval by the Kansas State Department of Education.

Transportation Contracts

If a school district, of necessity, must contract with a parent or other private party for transportation of an exceptional child, the cost to the district to deliver the child to his/her program and return him/her to his/her home shall be reimbursed. The district shall be responsible for making payment to the party providing the transportation. Two round trips per day may be reimbursed but in no case shall such reimbursement exceed 80 percent of actual cost incurred per exceptional child per year.

In-State/Out-of-State Diagnosis or Service

Reimbursement for transportation to and from in- or out-of-state residential facilities or institutions is permitted, provided the local school district has agreed to and incurred such expenses. Transportation may be by public, private, or school owned vehicle. Such expenses must be approved by the Kansas State Department of Education. In the event a child is enrolled in a residential facility or institution after the Annual Survey Form has been submitted to the Kansas State Department of Education, an updated request must be submitted. If funds are available and approval is granted by the Kansas State Department of Education, reimbursement will be made to the sending district as part of the final payment.

Transportation provided to centers, clinics, and other facilities for the purpose of diagnosis, evaluation, or continuing educational services is reimbursable.

Non-Resident Pupil Transportation or Maintenance

If an exceptional child is transported to special education services in a district other than the one in which he/she resides, transportation costs may be paid by either the sending or the receiving district. Special education reimbursement will be paid as requested and approved on the Annual Survey Form.

In lieu of transportation, expenses incurred for the maintenance (room and board and nonmedical costs) of an exceptional child placed by the school district and provided special education at some place other than his/her residence, such as a special purpose school, shall be at no cost to the parents. Costs of such maintenance may be met by funds from any public or private source including insurers and similar third parties. A portion of the costs incurred by a school district are reimbursable. Reimbursement may be claimed for 80 percent of the actual maintenance expenses up to a limit of six hundred dollars per exceptional child per school year.

A boarding facility operated by a school district may use a combination of various nonstate or federal funding sources, such as private donations, gifts, and estates, to help defer operating costs and also be eligible for state and federal monies. In the combination and use of these funds, care must be taken to protect against duplicate funding for the same services, equipment, supplies, and facility maintenance.

Provisions for Severely Multiply Handicapped/Deaf-Blind

K.S.A. 72-853 authorizes the Kansas State Department of Education to expend available funds for the purpose of sending children who are deaf-blind or otherwise severely handicapped to any facility, school, or institution within or without the state of Kansas which provides a qualified program of education for such children. These funds may be spent for evaluation and diagnosis, room, board, tuition, transportation, and other items which are necessarily relevant to the education of such children. In interpreting and carrying out the provisions of this act, the term *deaf-blind children*, whenever used, shall be construed to include any child whose combinations of handicaps of deafness and blindness prevents him/her from profiting satisfactorily from educational programs provided for the blind child or the deaf child. *Otherwise severely handicapped children*, wherever used, shall be construed to include any child whose handicap or combination of handicaps prevents him/her from profiting satisfactorily from educational programs provided through a sponsoring public school district in this state. (L. 1959, ch. 311, Sub. Sec. 1: June 30.) Additional information regarding application forms and payment procedures may be found in the program guidelines for the Severely Multiply Handicapped/Deaf-Blind.

PROCEDURES FOR OBTAINING SPECIAL EDUCATION REIMBURSEMENT

Any district requesting reimbursement under the Special Education for Exceptional Children Act shall submit prescribed forms to the State Department of Education. Every district shall make such periodic and special reports of statistical and financial information as requested by the State Board.

SCHEDULE FOR PAYMENTS TO DISTRICTS

If, after receipt of the required reports from the administering units, the Kansas State Department of Education is satisfied that the special school, class, center, or other service maintained during the school year has been in accordance with law, payment shall be made on the following schedule:

(1) November 1: Payment based upon an amount equal to 40 percent of the estimated entitlement per full-time teaching equivalency unit.

(2) March 1: Payment based upon an amount equal to 40 percent of the estimated entitlement per full-time teaching equivalency unit.

(3) June 25: Final payment which includes full entitlement (including transportation) less payments made on November 1 and March 1.

(4) Individual claims for homebound and special purpose schools and summer programs will be made as a part of the June 25 final payment.

Special education reimbursement will be based on the number of full-time equivalency teachers/paraprofessionals employed as of September 1. Any approved personnel employed after September 1 will be reimbursed at a rate equal to the proportion of the number of full months employed to the full school year (nine months). For example, if the FTE reimbursement was $4,815.00 and the employee was hired November 1, the local education agency would be entitled to .8 FTE x $4,815.00 = $3,852.00.

In the event that any district is paid more than it is entitled to receive under any distribution made under this act, the Kansas State Department of Education shall notify the district of the amount of such overpayment. Such district shall remit the amount of overpayment to the Kansas State Department of Education. The Kansas State Department of Education shall remit any money so received to the State Treasurer, and the State Treasurer shall deposit the same money in the state treasury to the credit of the general fund. If any district fails to remit, the Kansas State Department of Education shall deduct the excess amounts paid from future payments becoming due to such district. In the event any district is paid less than the amount to which it is entitled under any distribution made under this act, the Kansas State Department of Education shall pay the additional amount due at any time within the school year in which the underpayment was made or within sixty days after the end of such school year.

7. FACILITIES

DEFINITION

All school facilities, both existing and newly constructed, shall include any setting in which instruction and school related activities occur, such as classrooms, itinerant services areas, physical education areas, and playgrounds. These shall also include areas for extracurricular, dining, and athletic activities.

INTRODUCTORY STATEMENT

State and federal legislation requires that all children have equal opportunity to a free and appropriate public education. In order for this to occur, all educational programs and services shall be accessible to children with physical and sensory handicaps which impede mobility. Safety precautions shall consider children with various handicapping conditions, such as the hearing impaired who cannot respond to auditory warning signals. The regulations effectuating Section 504 of the Rehabilitation Act of 1973 (P.L. 93-112) detail the requirements of program accessibility. In addition to Section 504, P.L. 94-142 mandates the provision of educational services for handicapped children in least restrictive educational environments. State laws passed in the 1978 Kansas Legislature (K.S.A. 1978 Supp. 58-1301 *et seq.*) require after January 1, 1979, provisions for parking spaces and building accessibility for handicapped persons.

The removal of children from the regular school setting shall be justified; for example, it shall be shown that the handicapped child cannot be educated with his/her peers even when supplementary aids and services are provided. This also has implications for school facilities inasmuch as alternative placements, such as self-contained classrooms or special education schools, shall be comparable to other school facilities, services, and activities for non-handicapped children.

PROGRAM ACCESSIBILITY

Existing Facilities

Educational programs in existing facilities shall be made accessible to exceptional students. Schools are not required to make structural changes in existing facilities when the participation of a handicapped student in classes, services, or activities can be achieved through other alternatives. For example, when parts of a building are accessible, the school can reassign the necessary classes or activities to that part of the building. A paraprofessional can be assigned to assist the student to less accessible areas.

Section 504 of P.L. 93-112 requires that any necessary structural changes shall be completed by June 1, 1980. In order to comply with these requirements, any school needing to complete structural changes shall develop a plan stating the steps necessary to complete the changes. Input from handicapped persons or advocacy groups shall be utilized in the development of this plan which shall be made available for public inspection. The transition plan shall do the following:

(1) Identify the obstacles that limit accessibility,
(2) Describe the methods to be used to make the facility accessible,
(3) Specify the schedule of changes, and
(4) Indicate the person responsible for the implementation.

New Construction

Plans for construction of any new school facilities shall assure accessibility, protection, health, and the least restrictive environment for exceptional children. This same requirement applies to new alterations or remodeling of existing facilities.

LEAST RESTRICTIVE EDUCATIONAL SETTINGS

Federal, state, and local laws explicitly state that to the maximum extent appropriate, each handicapped child shall be educated in the same setting provided for his/her non-handicapped peers. When the location of special education programs is chosen, consideration shall be given to providing opportunities for exceptional students to interact with regular students in academic and/or non-academic settings. All facilities housing exceptional students shall be comparable to those housing non-exceptional students within the same attendance center. If a local education agency operates any facility which is identified as being for exceptional children, that facility and the services and activities provided therein shall be comparable to the facilities, services, and activities provided to non-exceptional children. Consideration also should be given to equipping special classrooms with regard to the requirements of students.

Suggestions for facilities and equipment appropriate to specific program areas are included in those sections of this Plan. For legal requirements for modifying facilities for exceptional students, local education agencies may request assistance from Architectural Services, Kansas State Department of Education.

B. PROCEDURAL RESPONSIBILITIES

1. SCREENING, EVALUATION, PLACEMENT, AND REVIEW PROCEDURES

INTRODUCTORY STATEMENT

Kansas legislation charges the State Board of Education with responsibility for establishing *criteria for screening, diagnosis and certification of exceptional children including physical, educational, and psychological examinations* (K.S.A. 72-963). Kansas schools are required to provide basic vision and hearing screening without charge to every pupil (K.S.A. 72-5205 and K.S.A. 72-1205). The following policies and procedures have been adopted by the State Board of Education in order that all exceptional children in the state may be located, evaluated, identified, and provided appropriate special education programming. These policies and procedures are compatible with the requirements of the Education of the Handicapped Act as amended by P.L. 93-380 and P.L. 94-142 and Section 504 of the Rehabilitation Act of 1973.

LOCAL EDUCATION AGENCY RESPONSIBILITIES

To provide appropriate educational programs for all exceptional children, local education agencies are responsible for the following:

(1) Systematic screening procedures;

(2) Comprehensive and non-discriminatory evaluation/diagnosis and identification/certification;

(3) The development of an individualized educational program which ensures placement of the child in an appropriate service model and specifies the objectives, implementation, and evaluation of the child's educational program; and

(4) The provision of periodic review and readjustment of the child's program.

CRITERIA FOR SCREENING/DIAGNOSIS

Screening is the first step in the identification of exceptional children, but it is not a special education action. Screening procedures consider all children in a given population in order to locate those who may be in need of special education services. Because all children participate in screening activities, prior written parental consent is not required. No child shall be placed in any special education program solely on the basis of screening activities.

Each local education agency shall implement systematic procedures to screen all school-age children for learning assets or deficits which may require special education services. These screening procedures shall include the following:

(1) Mandatory hearing and vision screening;

(2) An age appropriate developmental instrument or screening procedure designed to identify those children with possible physical, intellectual, social or emotional deviations which may influence his/her learning; and

(3) Any other instruments/procedures needed to supplement the above. Such instruments/procedures may include
   - teacher and parent referrals or self-referral by students,
   - behavioral checklists,
   - group achievement and/or intelligence tests,
   - adaptive behavior observations,
   - teacher/parent observation, and
   - other techniques developed locally by multidisciplinary efforts.

Preschool screening is recommended and should be initiated whenever possible.

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CRITERIA FOR EVALUATION/DIAGNOSIS

Due Process in Preplacement Evaluation Procedures

The evaluation which is conducted to determine eligibility for special education and to provide the basis for developing an individualized education program is a special education action. Steps to initiate a comprehensive evaluation shall be made whenever screening, referral, or lack of progress indicates that a child may be exceptional as defined by K.S.A. 1974 Supp. 72-962. No child shall be placed in special education prior to the completion of an individual evaluation of his/her special needs. The preplacement evaluation may not be initiated without affording the child and his/her parents due process. Due process also is afforded the child and his/her parents if the school denies their request for a comprehensive evaluation. Prior written notification of the schools proposed action and proper steps to obtain parental consent to that action shall be taken. (See PROCEDURAL DUE PROCESS section)

Requirement for Evaluation Procedures

It is the intent of State and Federal law to ensure that children are not misclassified as exceptional because of inappropriate selection, administration, or interpretation of evaluation materials. Toward that end any preplacement evaluation and any subsequent reevaluation shall meet the following requirements:

(1) All evaluation procedures shall be non-discriminatory in compliance with State and Federal laws. K.S.A. 72-963 and P.L. 94-142 explicitly state that no child may be assigned to or denied special education services prior to the administration of evaluation instruments which are given in the mode of communication best understood by the child and reasonably related to his/her cultural environment.

(a) When a child is from a home in which English is not the principal language, the local education agency shall determine the language best understood by the child. If the child's preferred language is not English, the school may:

- Use a qualified evaluator fluent in both the child's primary language and in English. This is the preferred alternative.
- Use an interpreter to assist the evaluator and child with language and testing.
- Select test instruments which lessen cultural factors and do not stress spoken language.
- Use diagnostic prescriptive techniques.

In those cases in which appropriate measures and/or qualified interpreters are not available, no formal assessment shall be made until the child has acquired sufficient familiarity with the language and culture of the school.

(b) If a child has sensory, motor, or speaking impairments, test results shall accurately assess whatever factor the test purports to measure rather than reflect the child's impaired communication skills. Tests which purport to measure communication skills may be used for this purpose. The following suggestions are for evaluating children with communication impairments:

- Use of non-language performance scales standardized on or adapted for the area of exceptionality involved;
- Visual communication techniques in place of, or in addition to, auditory techniques;
- Auditory communication techniques in addition to large print or transcribed braille tests; and
- An aide who is skilled in finger signing or total communication to assist the evaluator.

(2) The evaluation shall be multidisciplinary, that is, conducted by a team of professionals qualified to assess the suspected area(s) of exceptionality. Input from

parents and other appropriate non-school personnel shall be sought to obtain a comprehensive view of the child.

(3) The evaluation shall be multisourced, that is, based upon a variety of assessment procedures appropriate to the exceptionality manifested. (See each program area section) The intensity and type of evaluation shall be determined by the nature of the child's strengths and weaknesses. A child shall not be placed in special education on the basis of a single measure or procedure. In all cases, consideration shall be given to:

- the child's developmental, psychological, social, and educational functioning;
- his/her physical health or sensory impairment which may influence learning; and
- the classroom and school learning climate.

Informal measures may be used to obtain information about the child's current level of functioning, but placement decisions shall be based solely upon tests and other evaluation procedures which have been validated for the purpose for which they are used. Such tests shall be administered by trained personnel in conformance with instructions provided by their producer.

(4) Regulations specific to the evaluation of suspected learning disabled children were promulgated by the federal government. Those school districts which will accept federal funding should review those regulations to ascertain that any additional requirements have been met.

(5) Any test used as a part of the evaluation shall be administered by a professional holding current certification or licensure to administer and interpret such test.

Public school psychological evaluations shall be carried out only by an approved school psychologist certified by the Kansas State Department of Education or by an appropriately trained psychologist certified by the Kansas State Board of Examiners and reported to the Kansas State Department of Education.

When interns or practicum students are in training, evaluations carried out by these students may be used for placement decisions if reviewed and signed by the supervising professional. Responsibility for the validity and reliability of any test results obtained by students and used to make placement decisions shall be with the supervising professional.

(6) The special education administrator of the local education agency shall certify that each child approved for special education placement has had an appropriate and complete evaluation as described above.

An exception to this requirement shall be made for children who have a speech impairment as their only apparent exceptionality. A qualified speech/language clinician shall evaluate each such child, using procedures that are appropriate for the diagnosis and appraisal of speech and language disorders. The speech/language clinician shall verify the absence of learning or behavioral problems through examination of the child's records and/or conferences with parent(s) and teacher(s). If referral for additional evaluation by other professionals is not indicated, the comprehensive examination shall then be considered to be complete.

(7) After the completion of the comprehensive evaluation one or more staffing conferences shall be held to determine the evaluation team's recommendations relative to special education programming for the child. The staffing shall include input from those persons who participated in the evaluation. In addition, any persons who are directly or indirectly involved in, or who may influence the child's educational success, shall have the opportunity for input to the staffing. The opinions and concerns of the child's parents shall be presented (either personally or by a school staff member) as a significant part of the available information. Whenever possible, parents should participate in the staffing conference. The intent of this require-

ment is that all persons having information about the child's current level of functioning meet to jointly formulate recommendations for the child's educational program. In no cases shall special education placement recommendations or decisions be made solely by one person, even though this person may have considered the data collected by all members of the evaluation team.

INDIVIDUALIZED EDUCATIONAL PROGRAM

If it is determined as a result of the evaluation that a child is in need of special education services, an individualized educational program (IEP) shall be developed. The individualized educational program is a written statement of the special education and ancillary services needed by a child based on his/her current level of functioning. It assigns responsibility for the delivery of these services, sets forth the anticipated changes in the child's behavior, and describes how these changes will be measured. Parents and, when feasible, the child must be given opportunity for active participation in its formulation. The IEP shall be developed prior to the initiation of any special education programming.

Participants in Development

The IEP shall be written (and subsequently reviewed/revised annually) in a meeting which includes:

(1) A representative(s) of the local education agency, other than the child's teacher(s), who is qualified to provide, or supervise the provision of, special education. For a child who has been evaluated for the first time, this person shall have participated in the staffing conference and be qualified to interpret the written findings of the comprehensive evaluation to the parents. It is recommended that the local education agency be represented by a person who is authorized to make administrative decisions relative to the services to be provided.

(2) The child's teacher(s).

- (a) For a child who is receiving special education, the teacher shall be the special education teacher with primary responsibility for implementing the child's IEP. If the child's primary handicap is a speech/language impairment, the teacher shall be the speech/language clinician.
- (b) For a handicapped child who is being considered for placement in special education, the teacher shall be the child's regular teacher, or a teacher qualified to provide education in the type of program in which the child may be placed, or both.
- (c) If the child is not in school or has more than one teacher, the local education agency shall designate which teacher will participate in the meeting.
- (d) Either the teacher or the agency representative should be qualified in the area of the child's suspected exceptionality.

(3) One or both of the child's parents and, where appropriate, the child.

(4) Other individuals at the discretion of the parents or the school.

Parents shall be notified of the meeting early enough to ensure that they will have the opportunity to participate in developing the individual educational program. A reasonable attempt shall be made to schedule the meeting at a mutually agreed on time and place. Provision for interpreters or other facilitators shall be made for parents who are deaf or whose native language is other than English.

If neither parent can attend, individual or conference telephone calls may be used to obtain parental participation. If the school is unable to obtain parental participation, the IEP meeting may be conducted without a parent. In such cases, the school shall document its attempts to arrange the meeting, including records of telephone calls made or attempted, copies of correspondence, and records of home visits. Parents shall be provided a copy of the IEP document upon request.

The IEP may be written in the staffing conference which culminates the comprehensive evaluation provided that:

(1) Parents have been properly notified of this intent and given opportunity to participate, and

(2) The legally required participants, as specified above, are in attendance.

Content of the Individualized Educational Program

The individualized educational program is a written statement which includes documentation of decisions about the objectives, content, implementation, and evaluation of special education services for the child. While developed jointly, it is not a binding contract between educators, parents, and children. The school is responsible for providing the services delineated in the IEP, but is not legally bound if the child does not achieve the growth projected in the annual goals.

The individualized educational program shall include the following:

(1) A statement of the child's present level of educational performance, including where applicable, academic achievement, social adaptation, and prevocational skills, sensory and motor skills, self-help skills, and speech and language skills.

(2) A statement of the specific special education and related services needed by the child without regard to the availability of such services. Any unique instructional media not ordinarily available to all students, but needed by the child for learning, shall be listed. For example, large print materials, braillers, amplification equipment, and non-oral communication devices should be listed; textbooks, kits, and manipulative materials for acquiring mathematical concepts should not be included.

(3) A description of the extent to which the child will participate in regular education. Where regular classroom placement is not appropriate, the extent of participation in other less restrictive environment activities shall be described.

(4) The projected date for the initiation of the prescribed services and anticipated duration of the services.

(5) A statement of annual goals which describe the educational performance anticipated by the end of the school year.

(6) A statement of short-term (nine to twelve weeks) objectives which are measurable intermediate steps between the present level of performance and the annual goals.

(7) Objective criteria, evaluation procedures, and data collection schedules for determining, at least every twelve weeks, whether the short-term objectives are being achieved.

(8) A listing of the names and positions of the individuals responsible for implementation of the individualized educational program.

Time Lines

The individualized educational program for an exceptional child who is receiving special education shall be reviewed/revised annually. The IEP conference may be held any time throughout the year, as long as a current IEP is in effect for the child at the beginning of each school year.

For an exceptional child who is not yet receiving special education, the IEP shall be developed no later than thirty days from the date when it is determined through the staffing conference that the child requires special education. Such children shall remain in their current placement until the IEP is completed.

PLACEMENT IN THE LOCAL EDUCATION AGENCY

The local education agency in which a child resides is responsible for the development and implementation of that child's IEP. When a local education agency refers or places (through a contractual agreement) a child in another accredited special education program (whether public or private), it shall arrange for a representative of the receiving agency to participate in the IEP conference. If a representative of the receiving agency cannot attend the meeting, the sending agency shall ensure participation by the receiving agency through other methods, preferably individual or conference telephone calls.

If a child is placed by the court in a school district or state institution and if the child is determined by the receiving agency to be exceptional, the receiving agency shall be responsible for developing and implementing an individualized educational program for the child. If an exceptional child from a public school program is admitted to a state institution, then the written IEP shall be forwarded without delay, to the receiving institution for implementation and revision as needed. Conversely, when it is determined by a state institution that an exceptional child shall be returned to the community, the receiving district shall be involved in the development/revision of the IEP as needed for implementation in the public schools.

PLACEMENT AND REVIEW

Exceptional children shall be educated in a *least restrictive alternative* program. This statement describes the right of exceptional children to be educated with their normal peers unless clear evidence is available that partial or full removal will provide an improved program for the child. In addition, no placement shall be considered permanent but shall be subject to ongoing review.

Placement in the above context, does not necessarily imply removal of the child from the regular school program, but may mean providing for his/her appropriate learning environment through a continuum of special services available in the regular school. (See LEAST RESTRICTIVE ALTERNATIVES section)

When implementing the level of service recommended in the exceptional child's individualized educational program, the procedures below shall be carefully followed.

(1) The child and his/her parents shall be afforded all due process rights. (See PROCEDURAL DUE PROCESS section)

(2) Placement in any form of special education program shall be considered as a trial placement and shall be subject to review and additional team planning. The child shall be returned progressively to as near a normal setting as possible.

    (a) Assessment of the success and appropriateness of the educational program recommended for an exceptional child should be ongoing on a daily or weekly basis in the instructional setting.

    (b) In addition, at specific short-term periods (no longer than twelve weeks) a determination shall be made if a change to either more intensive or less intensive special education services is needed. This informal monitoring could be efficiently accomplished in schools where regular building level staffings between supportive staff (school psychologists, school social workers, and consulting teachers) and the principal and referring regular classroom teachers are held.

    (c) When the building level concept for monitoring the child's progress is not implemented, it shall be the responsibility of the special education teacher serving the child (in conjunction with the regular classroom teacher where appropriate) to inform the administrator of special education of any children whose progress may require a change in programming. (See (b) above.) If desired, the administrator of special education may designate the school psychologist who coordinated the comprehensive evaluation as the contact person for such reports.

    (d) A notation that the short-term review was made shall be recorded in the child's IEP.

(3) Parents shall be kept apprised of the progress of their child.

(4) On an annual basis a conference shall be held to review/revise the child's IEP.

(5) In no case shall children be maintained in special education programs for longer than three years without a complete comprehensive re-evaluation. A re-evaluation shall be conducted annually for children placed in Personal and Social Adjustment programs.

(6) Informal follow-up of all children for whom special education services have been terminated shall be carried out annually for at least two years. Such follow-up shall be used as one method of alerting the special education staff if additional services are needed.

2. PROCEDURAL DUE PROCESS

DEFINITIONS

Special Education Action

A special education action means any act on the part of a local education agency by which a child is:

(1) Excluded, reassigned, or transferred from regular school classes on the grounds that he/she is an exceptional child and cannot materially benefit from such classes.

(2) Placed in, transferred to or from, or denied placement in special education services. This action includes:

  (a) The initiation or refusal to initiate a comprehensive evaluation for purposes of determining eligibility for special education services, and

  (b) Changes in programming which result from routine periodic reevaluations of the child's progress and which alter the type or intensity of current special education services.

Consent

Consent means that parental approval for a special education action has been given after the parent has been fully informed of all information relevant to the activity for which consent is sought, including a description of that activity. Signed parental consent shall be valid only for the activity described. K.S.A. 1978 Supp. 72-972 states that the parent of the involved child may revoke his or her consent to the proposed action at any time and may request the hearing provided for in this section of the law.

Parent

As used in this section, the term *parent* means any person acting as lawful custodian of the child.

Lawful Custodian

The term *lawful custodian* in K.S.A. 1977 Supp. 72-972 means —

(1) Parent,
(2) Step-parent,
(3) Foster parent,
(4) Guardian,
(5) Person having legal custody of the child,
(6) Person legally liable for the child's maintenance, care or support, or
(7) In the absence of any of the above, a relative or other interested person, provided that the other interested person is not an employee of the State Board of Education or any local board involved in the education of the child.

INTRODUCTORY STATEMENT

The rights of a child in regard to special education actions are guaranteed in Kansas laws, rules, and regulations. Parents and/or the child must be given a complete and clear explanation of any school action which proposes to initiate, refuse, or change special education services. They also have the opportunity to participate in decisions made during evaluation and placement procedures toward the end of reaching consensus as to the optimal educational program for the child. Procedural due process begins when a parent, child, or local education agency requests the initiation of a comprehensive evaluation to determine the child's eligibility for special education services. Ideally, the school and the home will work closely together; and both will be in agreement about the course of action most beneficial for the child. If there are differences between the school and the home, every attempt should be made by [illegible] parties to resolve these differences through conferences, negotiations, or mediation. Only if the differences are irreconcilable should the legal remedy of due process hearing and appeal procedures be invoked.

LOCAL EDUCATION AGENCY DUE PROCESS POLICIES

Each local school board and special purpose school shall:

(1) Draft and adopt special education due process procedures which are in compliance with the requirements of this Plan,

(2) Place a copy on file with the Kansas State Department of Education as a part of the local comprehensive plan for special education, and

(3) Be responsible for all due process proceedings relating to all exceptional children who reside within its jurisdiction.

Member districts of a special education cooperative or interlocal agreements may draft jointly a set of due process policies, subject to adoption by the board of education of each member district. Member districts in a special education cooperative are individually responsible for implementing due process procedures, including conducting any hearing requested by a resident parent/child. Interlocal units duly authorized under K.S.A. 72-8230 have the same rights and responsibilities as a local school district in implementing due process procedures and may conduct hearings for member districts.

DESIGNATION OF LAWFUL CUSTODIAN

Intent

It is the intent of state and federal law that each child have an advocate to represent his/her interests in all special education actions. In most cases this advocate will be the child's parent(s) or guardian(s). For any child whose parents or guardians are unknown or unavailable, for example, deprived children or children who are wards of the state, a lawful custodian must be appointed to represent the child. The person determined to be the child's lawful custodian shall have all of the rights guaranteed to children and parents under this Plan.

Local Education Agency Responsibility

Before taking any special education action, the local education agency shall —

(1) Determine whether the child's parents or guardians are known and available to represent the child.

(2) If the child is a ward of the court, notify the court and request the appointment of a lawful custodian.

(3) If the child is a ward of the state, notify the Area Office of Social and Rehabilitation Services and request the appointment of a lawful custodian.

(4) If the person having legal responsibility for the child is not known or is unavailable, cause proper proceedings to be instituted pursuant to the Kansas Juvenile Code to determine whether the child is deprived.

NOTIFICATION OF PROPOSED SPECIAL EDUCATION ACTION

Written Prior Notice

Prior to taking any special education action, the local education agency shall notify each child, or his or her parents. The notification shall be given in writing by restricted mail or personal delivery. The written notification shall be in a language understandable to the general public and shall be provided in the primary language of the home. If the native language or other mode of communication of the home is not a written language, the notice shall be orally translated into the primary language or other mode of communication of the home. Steps shall be taken to ensure that the parent/child understands the content of the notice.

The contents of the notification, as specified in K.S.A. 1978 Supp. 72-972, must —

(1) Describe the proposed action and state the reasons why such action is deemed appropriate for the child.

(2) Inform the parent of the right to consent to the proposed action in writing upon forms provided by the board.

(3) Inform the parent of the right to object to the proposed action at a hearing which may be held upon request of said lawful custodian, which request shall be made within 30 days from the date on which the notice is received.

(4) Inform the parent of any free or low cost legal or other relevant services available in the area.

PARENTAL CONSENT FOR EVALUATION

Consent for Preplacement Comprehensive Evaluation

Prior to the initial placement of an exceptional child in a special education program, a comprehensive evaluation shall be conducted in accordance with the requirements of the SCREENING, EVALUATION, PLACEMENT, AND REVIEW section of this Plan. When a child is referred for a comprehensive evaluation, the parents shall be notified as specified above and given the opportunity for a personal conference concerning the reason for referral prior to the implemenation of the evaluation. The notice also shall include:

(1) A request for written consent and

(2) A clear description of proposed evaluation procedures, for example, kinds of tests used, approximate duration of the evaluation procedure, and other relevant information.

If the parents give written consent for the evaluation, it may be initiated immediately. In the absence of written consent, no action shall be taken within a period of ten days, which period shall afford the parents the opportunity to indicate their objections to the evaluation. If, after the ten-day waiting period, the parents have failed to respond to the written request for permission, the evaluation may be initiated.

If the parents or guardians refuse permission for evaluation, the local education agency shall attempt to seek resolution through individual conference(s). If the parents still refuse to allow the proposed evaluation, the local education agency shall either accept the decision or apply to a court of competent jurisdiction for an order directing such an evaluation. To this end, records of contacts and consultations with parents shall be maintained.

Consent for Comprehensive Re-evaluation

When an exceptional child has been placed initially in accordance with the requirements of this Plan, parental consent for re-evaluation shall not be required providing that:

(1) The child's individualized educational program is current and has been reviewed/revised annually; and

(2) The child's parents have been given prior written notice of the proposed re-evaluation.

INDIVIDUALIZED EDUCATIONAL PROGRAM

Special education programming shall not be initiated for a child prior to the development of an individualized educational program. The individualized educational program for each child receiving special education services shall be reviewed/revised annually.

The individualized educational program is a written statement of the special education and ancillary services needed by a child based on his/her current level of functioning. It assigns responsibility for the delivery of these services, sets forth the anticipated changes in the child's behavior, and describes how these changes will be measured. Parents and, when feasible, the child must be given opportunity for active participation in the development, review, and revision of the IEP in a conference with appropriate school personnel. Specific requirements governing the IEP process are set forth in the SCREENING, EVALUATION, PLACEMENT AND REVIEW section.

The IEP conference is an extension of the special education procedural safeguards guaranteed by state and federal law. The purpose of the meeting is to ensure active and open parental involvement in formulating personalized educational goals for a child and designating the specific special education and related services needed to help that child achieve those goals. Local education agencies should view the IEP process as an opportunity to achieve consensus between home and school which will prevent conflict resulting in a due process hearing.

Parental signature on a child's individualized education program is not required as a matter of procedural due process. When the local education agency, after reasonable attempts, is unable to obtain parental participation, the IEP must be developed by school personnel. It is recommended that parents sign the IEP document to which they agree. Such signature shall not constitute permission for the proposed special education action, nor shall failure to sign constitute a parental objection to the proposed special education action.

PARENTAL CONSENT FOR PLACEMENT

Prior to the initiation or change of special education programming for a child, parents shall be given written prior notice as specified in K.S.A. 1978 Supp. 72-972. The notice also shall —

(1) Describe all of the rights regarding procedures at a due process hearing;
(2) Indicate the opportunity to obtain an independent evaluation of the child;
(3) Describe parents right to access school reports, files, and records related to the proposed action; and
(4) State that the child will remain in his/her present education placement until such time as there is a decision following the due process hearing or until a proposed educational placement is accepted by both parties. If the complaint involves admission of the child to public school, the child, with the consent of his/her lawful custodian, shall be placed in a public school program until the completion of all the proceedings.

If the parent gives written consent for the proposed action, the change may be initiated immediately. In the absence of written consent, no action shall be taken within the period afforded the parent to request a hearing. This period shall not be less than thirty days. If, after the thirty day waiting period, the parents have failed to respond, the proposed action may be initiated provided that the local education agency has made and documented reasonable attempts to obtain written parental consent.

PREVENTION OF DUE PROCESS HEARINGS

The intent of state and federal special education due process requirements is to protect children from thoughtless or capricious actions by schools or by parents. Usually parents and school personnel assume their proper responsibilities in regard to the education of children and have little or no difficulty in reaching mutual agreement about the initiation, continuation, or termination of special education services.

The statutory provisions of prior notice to parents, multidisciplinary evaluation and staffing, the IEP conference, and informed parental consent should be regarded as measures which enhance communication between the home and school and prevent misunderstandings or conflicts. All of the parent-school contacts required prior to a special education placement can be used by the school to discover parental concerns and to deal humanistically with these concerns. The school can explain clearly and honestly the child's learning problems, the proposed special education interventions, and the anticipated benefits for the child. Both parties should be open to exploration of alternatives which will benefit the child.

The following procedures are recommended as additional steps which may be taken by the school to prevent conflict situations requiring resolution through a due process hearing.

(1) In-service for administrators, teachers, and support staff on communication skills and conferring with parents of exceptional children.
(2) Public dissemination of information on local special education services and parent/child rights.
(3) Mediation procedures to precede any scheduled due process hearing.

LOCAL EDUCATION AGENCY DUE PROCESS HEARING

If there are irreconcilable differences between parents and the school as to the appropriateness of a proposed special education action, both parties are afforded an opportunity for resolution through an impartial due process hearing. Following written notice, parents may request a hearing which must be held within thirty days from the date on which the request is received by the local education agency. The request for a hearing should be made in writing to the board of the local education agency. Upon receipt of such a request, the board shall appoint an impartial hearing officer(s).

Impartial Hearing Officer

K.S.A. 1978 Supp. 72-973 provides that the due process hearing conducted by the local education agency shall be conducted by a hearing officer or officers appointed by the board. No such hearing officer may be a member of the board and shall not be any person who:

(1) Is responsible for recommending the proposed action upon which the hearing is based,

(2) Has a personal or professional interest which would conflict with his or her objectivity in the hearing, or

(3) Is an employee of the State Board of Education or of any board involved in the education of such child.

Each local education agency shall maintain a list of the persons it has appointed as hearing officers. This list must include a statement of the qualifications of each person named.

Responsibilities of the Hearing Officer Prior to the Hearing

The hearing officer is responsible for assuring that due process is afforded both parties to the hearing. He/she is equally responsible for attempting to mediate the conflict between home and school. Toward this end he/she shall —

(1) Verify through personal or telephone contact that the parents understand their right to an independent evaluation and their right to access school reports, files, and records related to the proposed action.

(2) Verify through personal or telephone contact that both parents and school officials understand the rights of parties in a due process hearing. These rights, as specified in K.S.A. 1978 Supp. 72-973 are —

   (a) The right of the parties to have counsel of their own choice present and to receive the advice of such counsel or other person whom they may select;

   (b) The right of the lawful custodian of the child to be present at the hearing;

   (c) The right of the child and his or her counsel or advisor to hear or read a full report of the testimony of witnesses responsible for recommending the proposed action and of any other material witnesses;

   (d) The right of the parties and their counsel or advisor to confront and cross-examine witnesses who appear in person at the hearing, either voluntarily or as a result of the issuance of a subpoena;

   (e) The right of the parties to present witnesses in person or their testimony by affidavit, including expert medical, psychological, or educational testimony;

   (f) The right of the child to testify in his or her own behalf and give reasons in opposition to the proposed action;

   (g) The right of the parties to prohibit the presentation of any evidence at the hearing which has not been disclosed to the opposite party at least five (5) days prior to the hearing;

   (h) The right of the parties to have an orderly hearing;

   (i) The right of the child to a fair and impartial decision based on substantial evidence; and

   (j) The right of the parties to have a record of the hearing made by mechanical or electronic recording or by an official court reporter.

(3) Make arrangements for an interpreter if necessary. At all stages of the due process procedures, interpreters for deaf and non-English speaking parents shall be provided at the expense of the school district.

(4) At least ten days prior to the hearing, notify the parties in writing as to the time and place of the hearing. K.S.A. 72-973 requires that the hearing be conducted at a time and place reasonably convenient to the parents.

(5) Obtain from both parties a summary of the evidence they will present and a list of the persons who will represent and/or appear as witnesses for them at the hearing.

(6) If necessary, request the clerk of the district court to issue subpoenas for the attendance of witnesses and/or the production of relevant records.

(7) Determine parent/child wishes regarding the participation of the child in the hearing. If the child is over the age of majority, he/she shall have the right to attend the hearing. If the child has not reached the age of majority, the parents shall have the right to determine whether he/she should attend the hearing, unless the hearing officer finds that attendance by the child would be harmful to his/her welfare. The child may then be excluded from portions of or the entirety of the hearing by the hearing officer.

(8) Determine parent wishes as to whether the hearing will be open or closed. The hearing shall be closed to the public unless the parents request an open hearing.

(9) At least five days prior to the hearing furnish each party with a hearing agenda which includes a written summary of the evidence and a comprehensive list of the representatives/witnesses. It is recommended that this responsibility be discharged at a pre-hearing conference with the parties in order that the real issues of the hearing may be clarified. If the conflict between home and school is a problem in communication, this meeting may provide a vehicle for resolution.

Due Process Hearing

The hearing officer(s) shall preside at the hearing and shall conduct the proceedings in a fair and impartial manner to the end that all the parties involved in the hearing have an opportunity to present their evidence and testimony in accordance with the requirement of K.S.A. 1978 Supp. 72-973. The burden of proof as to the appropriateness of any proposed placement shall be upon the local education agency. A record of the hearing shall be made by mechanical recording or by an official court reporter.

Decision of the Local Hearing

The hearing officer(s) shall render a decision not later than five days after the conclusion of the hearing. The decision shall be based solely on evidence and testimony presented at the hearing. The decision shall be put in writing and shall be sent by restricted mail to the parties or to their respective representatives within twenty-four hours after the results are determined. After deletion of any personally identifiable information, the decision shall be sent also to the State Advisory Council for Special Education. The written decision shall include findings of fact, conclusions of law, and reasons for these findings and conclusions. A summary of the proceedings at the hearings shall be made and include any materials or statements specifically requested by any of the parties to appear in the record. This summary shall be made available to the parties of the hearing. The decision of the hearing officer(s) shall be final, subject to appeal by either party in the manner provided for in K.S.A. 1978 Supp. 72-974.

APPEAL FOR STATE BOARD REVIEW

Review By State Board

An appeal for review of the decision of the hearing officer to the State Board of Education may be initiated by the child, his/her parents, or by the local board of education. The appeal shall be made by filing a written notice of appeal with the State Commissioner of Education not later than ten days after receiving the written decision of the local due process hearing. The local education agency shall immediately submit the following to the State Board of Education:

(1) A complete and certified transcript or record of the local hearing.

(2) All affidavits, documents, and other evidence produced at the hearing.

Not later than twenty days after the notice of appeal is filed, the State Board of Education or a review officer(s) appointed by the State Board of Education shall complete the following:

(1) Examine the transcript of the hearing, including all affidavits, documents and other evidence.

(2) Determine whether the procedures at the hearing were in accordance with the requirements of due process.

(3) Afford the parties an opportunity for oral or written argument, or both, at the discretion of the State Board. If applicable, the parties shall be notified of their opportunity to present oral or written argument not later than ten days prior to the date on which such argument will be heard. All notices shall be sent by restricted mail.

Decision of the State Board

The State Board of Education shall render its decision not later than five days after the completion of the review. If a reviewing officer(s) has been appointed to conduct the review, he/she shall submit a written report to the State Board of Education. After receiving the report, the State Board of Education shall decide the matter with or without additional review.

The decision of the State Board of Education shall —

(1) Include reasons for upholding or refuting the findings and conclusions of the due process hearing.

(2) Be based solely on evidence and oral argument presented during the review.

(3) Be accompanied by a statement that the decision may be appealed to the district court as provided by K.S.A. 60-2101.

The decision of the State Board of Education shall be sent to the parties by restricted mail.

GENERAL REGULATIONS OF HEARINGS AND APPEALS

Any person, hearing officer, or board of education of the school district holding a hearing may administer oaths for the purpose of taking testimony under the authority of K.S.A. 1978 Supp. 72-975. The costs of any hearing by a local board of education under K.S.A. 1978 Supp. 72-972 shall be paid by the school district in which the child resides.

Unless appealed, the decision resulting from any hearing or review is binding upon the local board of education, its officers, employees, and agents.

Unless appealed, the decision resulting from any hearing or review also is binding upon the parents or guardians or upon the child if over the age of majority.

Any person, hearing officer, or board conducting a hearing or review may request the clerk of the district court to issue subpoenas for the attendance and testimony of witnesses and the production of all relevant records, tests, reports, and evaluations as specified in K.S.A. 60-245.

A person shall not be considered an employee of a local board of education solely because he/she is paid by the board to serve as a hearing officer. Any such appointment shall apply to a particular hearing or to a class of hearings as specified by the board in making the appointment.

K.S.A. 72-977 reads as follows: *When a school district provides special education services for exceptional children as required by this act, and a determination has been made as provided in K.S.A. 72-972 to K.S.A. 72-975, inclusive, of this, that a child is an exceptional child and special education services are necessary for such child, it shall be the duty of the parent or guardian of such exceptional child to require such child to enroll for and attend the special education services which are indicated by such determination.*

EXCEPTIONAL CHILDREN IN STATE INSTITUTIONS

K.S.A. 1978 Supp. 72-970 states that *Every state institution shall provide special education services for all exceptional children housed and maintained in the state institution and said special education services shall meet standards and criteria set by the state board.* Under this authority the procedural safeguards of due process and confidentiality as set forth in this plan are extended to all exceptional children housed and maintained in state institutions.

It should be noted that each local education agency is responsible for the education of all exceptional children (as specified in K.S.A. 1976 Supp. 72-933 and 72-966) unless and until it has been determined:

(1) That the education of an exceptional child cannot be achieved satisfactorily in any public school program,
(2) The child meets criteria for admission to a state institution, and
(3) The child is admitted to a state institution.

PLACEMENT OF CHILDREN BY PARENTS OR GUARDIANS

Whenever an exceptional child is offered free and appropriate special education services within his/her local education agency of residence and the child's parent or guardian chooses to place the child in a private school, the parent or guardian shall assume full financial responsibility for the child's education. If a parent contends that he/she has been forced to seek and bear the cost of private schooling for an exceptional child because the responsible local education agency does not offer an appropriate special education program and if the local education agency disagrees, due process procedures shall be implemented to resolve the disagreement and the question of fiscal responsibility.

CHILD'S STATUS DURING PROCEEDINGS

During the pendency of any hearing, review, or judicial proceeding regarding special education placement decisions, the child shall remain in his/her present educational placement unless the involved parties agree otherwise. If the complaint involves admission of the child to public school, the child, with the consent of his/her parent, shall be placed in a public school program until the completion of all the proceedings.

3. CONFIDENTIALITY

INTRODUCTORY STATEMENT

Following the precedent of national legislation, such as the Buckley Amendments, the Vocational Rehabilitation Act of 1973 (Section 504), and portions of P.L. 94-142, Kansas legislation requires that the State Board of Education and the board of every school district *shall adopt a policy in accordance with applicable federal laws and regulations to protect the right of privacy of any student or pupil and his or her family regarding personally identifiable records, files and data directly related to such student or pupil* (K.S.A. 1977 Supp. 72-6214).

The following policies have been adopted by the Kansas State Board of Education to assure the protection of the confidentiality of any personally identifiable data collected or maintained pursuant to the identification and evaluation of children for purposes of placement in special education.

NOTIFICATION POLICY

The State Board of Education and each local education agency shall be responsible for informing the public of policies and procedures established to assure the confidentiality of personally identifiable data, information, and records collected or maintained by the agency pursuant to the location, identification, evaluation, and educational placement of exceptional children. The notice shall be given in the native languages of the various population groups of the State.

PARENT/CHILD RIGHTS POLICY

The following rights must be assured in the confidentiality policies and procedures of all State agencies participating in the identification, location, and evaluation of children for purposes of placement in special education and related services. The Kansas State Department of Education itself also shall observe these requirements in protecting the confidentiality of any personally identifiable information which it collects and/or maintains on exceptional children.

(1) Access Rights of Parents

(a) Parents or their duly authorized representative shall be permitted to inspect and review any personally identifiable data relating to their children without unnecessary delay (in no case more than forty-five days after the request has been made) and prior to any hearing relating to the identification, evaluation, or placement of the child. *(Note:* The agency may presume that the parent has authority to exercise this right unless the agency has been advised that the parent does not have the authority under applicable state law governing such matters as guardianship, separation, and divorce.)

(b) If any record includes data on more than one child, parents shall inspect and review only those data relating to their child. If this is not feasible, parents must be informed of the data specific to their child.

(c) Parents shall be provided a response to reasonable requests for explanation or interpretation of the data by a qualified professional.

(d) Records which name all persons obtaining access to a child's records (excluding parents and authorized employees of the agency), the date access was given, and the purpose for which the person was given access to the records shall be maintained.

(e) A listing shall be kept of the types and locations of data collected and maintained by the agency. This listing shall be made available to parents upon request.

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(f) No charge shall be made to parents to search for or to retrieve data. The agency may charge a fee for copies of records which are made, if the fee does not effectively prevent parents from exercising their right to inspect and review those records.

(2) Hearing Rights of Parents

(a) Parents may request appropriate amendments to records which they believe to be inaccurate, misleading, or in violation of the privacy or other rights of the child.

(b) Within a reasonable period of time, either (a) the records shall be amended as requested, or (b) the parents shall be notified of the agency's decision to refuse the request and advised of their right to a hearing in order to challenge the data.

(c) Upon parental request, a hearing shall be conducted to determine whether or not the challenged data are inaccurate, misleading, or in violation of the legal rights of the child.

(d) If a hearing is requested, it shall be held within a reasonable period of time after the request; and the parent shall be given advance notice of the time, date, and place of the hearing.

(e) The hearing shall be impartial, that is, conducted by a party who does not have a direct interest in its outcome.

(f) Parents may present evidence relevant to the issues and may be assisted or represented by individuals of their choice (including an attorney) at their own expense.

(g) Parents shall be notified in writing, within a reasonable period of time, of the agency's decision. This decision shall be based solely upon the evidence of the hearing and shall include a summary of the evidence and the reasons for the decision.

(h) If, as a result of the hearing, the agency decides that the record should be amended as requested, it shall so amend the record. If the agency decides not to amend the record, it shall inform the parents of their right to enter into the records a statement about the challenged data which gives their reasons for disagreeing with the decision of the agency. This statement shall be maintained in, and treated as part of, the child's records as long as the records or the contested portion thereof is maintained by the agency.

(i) If parents are in disagreement with the results of the hearing, they may appeal to the Kansas State Department of Education which shall review the pertinent facts and attempt to resolve the disagreement through communications with the parents and the agency.

(3) Parental Consent Policy

If parental consent is denied in any of the following cases, the agency involved shall attempt to seek resolution through individual conference(s). If the parents still refuse to allow the proposed action, the agency shall either accept the decision or apply to a court of competent jurisdiction for an order directing the parents to comply. To this end, records of contacts and consultations with parents shall be maintained.

(a) Parental consent shall be obtained before personally identifiable data are —

(1) disclosed to anyone other than officials of the agency collecting or using the data. (Section 438 of the General Education Provisions Act shall apply to educational agencies.)

(2) used for any purpose other than identification and evaluation for purposes of determining a need for special education and related services, and

(3) used for purposes other than those previously specified to the parent.

(b) Parental consent shall be sought before a child is given a comprehensive evaluation as specified in this Plan.

SAFEGUARDS

The local education agency shall give assurance that:

(1) The confidentiality of data shall be protected at collection, storage, disclosure, and destruction stages.

(2) One official shall be designated by the agency to be responsible for assuring the confidentiality of any personally identifiable data.

(3) Provision shall be made for instruction regarding the federal laws and regulations, as amended, and state policies and procedures as set forth in this document for all personnel collecting or using personally identifiable data.

(4) A current listing of the names of agency personnel who may have access to personally identifiable data shall be maintained for public inspection.

DESTRUCTION OF DATA

Destruction means physical destruction or the removal of personal identifiers so that data is no longer personally identifiable.

(1) Parents shall be informed when personally identifiable information is no longer needed to provide educational services to the child and be notified of their right to request that the information be destroyed. If the parents request that the information be destroyed, the agency shall comply. However, a permanent record of the student's name, address, and telephone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

(2) When informing parents about their rights in regard to the destruction of personally identifiable information, the agency should remind them that the records may be needed by the child for social security benefits or other purposes.

CHILDREN'S RIGHTS POLICY

When a child has reached the age of majority, eighteen years, the permission or consent required of and the rights accorded to parents of the child shall be required of and accorded to only the child (1) providing the child is not dependent as defined by Section 152 of the Internal Revenue Code of 1954 and (2) providing the child is judged competent to accept and profit by this responsibility both by the agency and by the parents. Should any of the parties involved, including the child, disagree as to the child's competency, the matter shall be taken to a court of competent jurisdiction.

ENFORCEMENT POLICY

The Kansas State Department of Education shall review the confidentiality policies and procedures submitted by each local education agency as part of its local comprehensive plan for special education and the policies of other participating agencies in order that the U.S. Commissioner of Education may be advised as to Kansas' eligibility for funding under Education for All Handicapped Act; Title I, ESEA; and other federal programs for the handicapped. Program visitations by the Kansas State Department of Education staff shall include a review of the implementation of local confidentiality policies and procedures.

Federal funds for the handicapped administered through the Kansas State Department of Education will be withheld from any agency found to be substantially in violation of state and federal policies, rules, and regulations regarding the confidentiality of personally identifiable data.

C. PROGRAM AREAS: STANDARDS, COURSES OF STUDY, AND CURRICULA

1. GIFTED

DEFINITION

The complex nature of giftedness may manifest itself through the interplay of many different intellectual abilities as well as through a variety of creative expressions and non-academic talents. Unquestionably, appropriate educational experiences for individuals in all of these areas are both advisable and desirable. In the following definition, the term *gifted* will refer to the intellectually superior individual. Mandated programs shall focus upon educational provisions for individuals identified within this definition.

Intellectually gifted individuals are those who have potential for outstanding performance by virtue of superior intellectual abilities. The intellectually gifted are those with demonstrated achievement and/or potential ability. Individuals capable of outstanding performance include both those with demonstrated achievement and those with minimal or low performance who give evidence of high potential in general intellectual ability, specific academic aptitudes, and/or creative thinking abilities.

INTRODUCTORY STATEMENT

Individuals identified as gifted possess unique abilities requiring a qualitatively differentiated curriculum to fulfill and maximize their potential. Objectives must be established and defined to accomplish short- and long-range goals and outcomes which qualitatively exceed those set for regular students. Instructional objectives must also be established to develop higher level mental processes. This is not to say that the gifted should not learn what is required of others. They must be given the opportunity to expand learning potential. A learning environment providing access to materials, media, and equipment as well as to human resources is required in order to challenge and stimulate these potentially productive persons.

GENERAL CONSIDERATIONS

Appropriate provisions for intellectually gifted students shall conform to these basic precepts:

(1) A careful and comprehensive assessment of abilities, capabilities, and adjustment by qualified professional and lay persons shall be the basis for the identification of and programming for the gifted.

(2) Appropriate learning experiences to facilitate maximal development shall be planned and implemented on an individual basis. Elements of this individualization shall include the services of specialists, the development of individualized and special curricula, the use of special equipment and facilities, and the utilization of any other methods which research or experience has shown to be productive of quality programs.

(3) Opportunities for multimodal expression shall be provided.

(4) Student progress, appropriateness of curricular content, and other components of the program shall be continuously and methodically evaluated. Adjustments, revisions, or modifications in programming shall be made as indicated by analyses of evaluative data.

(5) Periodic review of consistency among program goals and objectives, individual learning activities and experiences, instructional approaches, and selection criteria for individuals shall be provided.

PREVALENCE FIGURES

While various prevalence figures have been suggested, it is generally accepted that 2 to 3 percent of any given population may be classified as intellectually gifted. This prevalence figure is not given as an absolute, but rather a general guide to planning. Some local education agencies may identify more or fewer gifted students. Significant deviations from the 2 to 3 percent figure shall be documented.

Within a school population, it is not anticipated that intellectually gifted students would be distributed equally among all attendance centers. The overall prevalence, however, would not be expected to exceed the 2 to 3 percent figure.

IDENTIFICATION PROCEDURES

The definition of giftedness dictates multiple selection criteria in the search for high ability individuals. Therefore, processes and comprehensive procedures utilized by the school districts in the identification of gifted individuals must be carefully constructed, developed, and evaluated. Since the population of the gifted includes individuals from all strata of society, it is imperative that a wide variety of methods be employed for identification purposes.

Proposed procedures must represent accurately the local education agency's philosophy, goals, and objectives of programs for the gifted. These procedures shall be in compliance with this Plan. Identification procedures must incorporate a multiplicity of measures and methods to locate not only achieving individuals, but those whose academic achievements are not consistent with measured and/or observed potential.

The identification procedure involves three phases: (1) initial referral and screening, (2) comprehensive evaluation, and (3) final staffing. The following sections describe these three phases for the identification, evaluation, and placement for individuals into programs for the gifted.

Initial Referral and Screening

The purpose of the initial referral and screening procedure is to locate and identify candidates for gifted programs subject to comprehensive evaluation and selection criteria. Appropriate screening procedures include, but are not limited to:

(1) School professional referral, for example, by administrator, principal, teacher, psychologist, or counselor;
(2) Parent referral;
(3) Peer referral;
(4) Self referral;
(5) Referral and information from community or agency sources;
(6) Group tests of intelligence with a composite rank no lower than the 95th percentile on national norms;
(7) Group tests of achievement with (a) a composite rank no lower than the 90th percentile on national norms for elementary students, or (b) a rank no lower than the 90th percentile on national norms on any two, three, or all of the mathematics, language arts (to include reading), science, and social science sections for secondary students.

Comprehensive Evaluation

The comprehensive evaluation of students referred for programs for the gifted shall utilize multidisciplinary and multisourced information to provide a thorough view of the individual from the perspective of the school, home, and community. (See SCREENING, EVALUATION, PLACEMENT, AND REVIEW PROCEDURES section)

In this phase of the identification procedure, it is recommended that use be made of as many of the following possible assessment tools as necessary to ensure the inclusion of achieving, underachieving, culturally different, handicapped, and disadvantaged individuals. Examples of assessment tools useful in a comprehensive evaluation are the following:

(1) Individual tests of intelligence,
(2) Individual tests of achievement,
(3) Autobiographical inventories,
(4) Tests of creative thinking abilities,

(5) Tests of critical thinking,
(6) Aptitude tests,
(7) Interest inventories,
(8) Data from school counselors,
(9) Sociometric devices,
(10) Rating scales,
(11) Appropriate checklists,
(12) Pupil products,
(13) Academic history and grades,
(14) Demonstrated accomplishments,
(15) Other relevant individual data.

If permission to test an individual cannot be secured from the parent(s) or guardian(s), local education agencies may take action as described in the SCREENING, EVALUATION, PLACEMENT, AND REVIEW PROCEDURES section of the Plan.

Final Staffing

Student information and data compiled during the initial referral, screening, and comprehensive evaluation phases shall be reviewed by the local education agency's placement committee for final consideration. Evidence of intellectual giftedness shall be determined by professionally qualified persons. Such persons include those within and without the school system with specialized training and/or skills; for example, teachers, administrators, psychologists, counselors, and lay persons qualified to appraise students' special competencies.

The criteria utilized by the committee to determine eligibility for placement shall be developed in relation to the local education agency's goals and objectives for programs for the gifted, and Kansas State Department of Education's rules and regulations contained in the Plan. Criteria for placement, developed by the local education agencies, must be included in the local education agency's comprehensive plan and submitted to the Kansas State Department of Education for approval.

In the consideration of candidates for programs for the gifted, intelligence test data shall be viewed as only one criterion measure among a larger set of criteria. Students shall be evaluated on the basis of a comprehensive evaluation including *all* components of the criterion battery. After thorough review and evaluation, the placement committee shall determine individuals qualifying for placement in programs for the gifted.

Identification, review, and placement procedures shall be fluid to permit the continuous evaluation of students participating in programs for the gifted as well as of those who do not presently qualify for the program.

PLACEMENT PROCEDURES

It is recognized that traditional standardized tests of intelligence and achievement may not always provide a valid, unbiased assessment of the ability of all students. Such tests may be particularly limited in searching for gifted individuals from culturally different populations or among students, regardless of cultural background, who may not demonstrate giftedness in achievement.

The identification guidelines presented here provide a basis for flexible procedures which will allow for the recognition of talents among all students. Local education agencies should recognize, however, that such flexibility increases their responsibility. The local education agencies must demonstrate, with substantial evidence that all students placed in a gifted program possess high intellectual potential or have demonstrated outstanding accomplishments. No student shall be placed or denied placement on the basis of a standardized test administered more than one year prior to placement in a program for the gifted.

Placement: Elementary Level

Local education agencies shall use the following criterion battery in the final review for possible placement phase of individuals in elementary programs for the gifted.

Placement in an elementary program for the gifted shall be based on all the components of the following criterion battery:

Elementary Criterion Battery

I. Teacher(s) evaluation of a student;

II. Strong evidence of intellectual giftedness or potential, for example, demonstrated accomplishments, pupil products; and

III. Documentation of intellectual giftedness through a Comprehensive Evaluation (see SCREENING, EVALUATION, PLACEMENT, AND REVIEW PROCEDURES section) to include the following:

- A. (1) Standardized individual test of intelligence with a composite rank no lower than the 97th percentile on national norms, *or*
  - (2) Evidence that such standardized intelligence test score does not adequately reflect the individual's high intellectual potential.
- B. (1) Standardized test of academic achievement with a composite rank no lower than the 95th percentile on national norms, *or*
  - (2) Evidence that such standardized achievement test score does not adequately reflect the individual's high intellectual potential.

Placement: Secondary Level

Local education agencies shall use the following criterion battery in the final review for possible placement phase of individuals in secondary programs for the gifted.

Placement in a secondary program for the gifted shall be based on all the components of the following criterion battery:

Secondary Criterion Battery

I. Teacher(s) evaluation of a student;

II. Strong evidence of intellectual giftedness or potential, for example, demonstrated accomplishments, pupil products; and

III. Documentation of intellectual giftedness through Comprehensive Evaluation, (see SCREENING, EVALUATION, PLACEMENT, AND REVIEW PROCEDURES section) to include the following:

- A. (1) Standardized individual test of intelligence with a composite rank no lower than the 97th percentile on national norms, *or*
  - (2) Evidence that such standardized intelligence test score does not adequately reflect the individual's high intellectual potential.
- B. (1) Standardized test of achievement with a rank no lower than the 95th percentile on national norms on any two, three, or all of the mathematics, language arts (to include reading), science, and social science sections, *or*
  - (2) Evidence that such standardized achievement test scores do not adequately reflect the individual's high intellectual potential.

RESPONSIBILITIES OF THE LOCAL EDUCATION AGENCIES

The same procedural safeguards afforded other exceptional students must be guaranteed to gifted students and their parent(s) or guardian(s). For this reason, local education agencies shall guarantee to do the following:

(1) Maintain confidentiality of student records. However, because student data utilized in the identification and placement procedures have implications for instructional and educational planning, such information shall be made available to the professional staff responsible for programs for the gifted.

(2) Obtain consent of parent(s) or legal guardian(s) for placement in a program for the gifted, or follow due process procedures as outlined in the PROCEDURAL DUE PROCESS section.

ADMINISTRATIVE STRUCTURES

The characteristics and needs of the individuals placed in the program will dictate the type of program to be implemented. A comprehensive study of the gifted individual's characteristics and needs must be conducted in order to plan for the nurture and development of exceptional abilities. To facilitate the development of these abilities, persons responsible for program design will want to examine known prototypes and alternatives to arrive at the most suitable program model(s) for the identified population. The examination and evaluation of prototypes should be viewed as an aid to planning and *not* as a wholesale substitute. Program models selected by local education agency's planning groups must incorporate descriptions of activities and experiences which will assist in the development of higher level cognitive and affective processes.

The following array of program prototypes is suggested as possibilities and alternatives for study by persons or groups responsible for the planning, development, and implementation of programs for the gifted (see Figure 1 of this section).

These prototypes should be viewed by local planning groups as representative of the variety of alternatives and not as programs demanding special segregated settings. Approvable elements of a gifted program may be planned and coordinated by personnel certified in gifted education. In specific incidences, a program may be implemented totally within the general framework of regular education. At other times, an approvable program for the gifted will require either a combination of regular and certified teachers of the gifted, or the services of certified teachers of the gifted only. *Only* personnel certified in gifted education are eligible for reimbursement.

In and of themselves, these prototypes are *only* administrative arrangements. The appropriateness and effectiveness of these suggested arrangements will be determined by their compatibility with the needs of the individuals placed in a gifted program. However, curricular content and personnel utilized within the framework of administrative prototypes will be dictated by individual needs, local education agency's philosophy, goals, objectives, and resources.

These prototypes may be implemented in the form presented, modified to meet local needs, combined, or used in conjunction with appropriate original designs, as approved by Special Education Administration Section. Approved supervisory personnel must be a component of an approvable and reimbursable program, but other non-reimbursable certified and non-certified personnel may assist in the implementation and operation of a program model.

FIGURE I. PROGRAM PROTOTYPES (Kaplan, 1974)

Grouping

Provisions which facilitate the student's access to learning opportunities.

- Cluster grouping within the regular class
- Part-time groups before, during, after school or Saturdays
- Seminars
- Minicourses
- Team teaching
- Alternative schools
- Resource room or demonstration classroom
- Consulting teacher
- Resource personnel
- Itinerant teacher
- Field trip and cultural events
- Special summer study
- Symposiums
- Special self-contained classes

Acceleration

Activities which promote learning beyond regularly prescribed curriculum

- Early entrance to preschool classes
- Advanced placement classes
- Ungraded classes
- Multi-age classes
- Tutoring
- Correspondence courses
- Extra classes for extra credit
- Credit by examination
- Independent study
- Continuous progress curriculum
- Year-round school
- Flexible scheduling
- Block or back to back classes
- Mentorship
- Telescoping
- Self-directed, contract programs
- Internships

Guidance

Experiences which promote understanding of the self and others and explore opportunities for careers.

- Individual conferences
- Group meetings
- Career and vocational counseling
- Educational counseling
- Community programs and sponsorship
- Scholarship societies
- Study groups
- Special education classes
- Tutoring

CLASS SIZE AND CASELOAD

Maximum numbers of students to be served in various program models are established to provide districts a guide in planning for comprehensive services. The following shall be observed in the implementation of programs when providing services to students:

PROGRAM MODEL	MAXIMUM NUMBER OF STUDENTS TO BE SERVED
Consulting Teacher	Dependent on assistance/services required for development and implementation of Individualized Educational Plans
Itinerant	25
Resource	35
Self-Contained	20

The caseload for consulting teachers has not been firmly established, but past experience has indicated that thirty to thirty-five may be a reasonable number. This person will be working with professionals only, but may coordinate and supervise specific student activities, such as seminars or other group experiences.

The above schedule shall serve as a guide in the planning and development of quality programming. In the utilization of the above program models, it should be borne in mind that a program model may consist of several program prototypes. For example, an itinerant teacher may work directly with students in a regular classroom setting, supervise an advanced seminar with a resource person from the community as leader, and coordinate internships for two students out in the community.

APPROVABLE PROGRAM CONTENT

The components of a program for the gifted must be markedly distinct to distinguish it from programs for general education. In an overall program plan for the gifted initiated by local education agencies, the various components must be adapted and tailored to the needs of the individuals and to local resources. Certain basic considerations, however, must be included.

Program Content: Elementary

Elementary programs for the gifted include the following:

(1) A QUALITATIVELY DIFFERENTIATED CURRICULUM.

A qualitatively differentiated curriculum includes a core of subject matter which all individuals are expected to learn in addition to other subject matter unique to a program. Thus, the gifted are given the opportunity to learn more in both quantitative and qualitative terms. There shall be greater emphasis on:

(a) Availability and variety of learning options,
(b) Opportunities for the development of research skills,
(c) Inquiry training,
(d) Problem-solving techniques,
(e) Individual projects which result in products superior to those normally expected of age peers,
(f) Student-directed learning experiences,
(g) Depth and breadth of learning experiences, and
(h) Accommodation to creative learning styles.

(2) CURRICULAR OPTIONS AND/OR OPPORTUNITIES TO EXPLORE AND PARTICIPATE IN A VARIETY OF NON-ACADEMIC LEARNING EXPERIENCES.

Individuals displaying interests and/or skills in a wide variety of activities outside the regular curriculum shall be given sufficient opportunity to investigate and explore those interest areas. These opportunities should be designed to enhance interest in learning and to extend existing talents. For example, a student with interest and ability in science and mathematics might be encouraged to build a computer.

Program Content: Secondary

Secondary programs for the gifted include the following:

(1) DIFFERENTIATED ASSIGNMENT TO ACADEMIC AREAS AND FLEXIBLE USE OF TIME.

Individuals placed in programs for the gifted shall be permitted to test out of and receive credit for required courses at all grade levels according to local education agency policies and procedures. This procedure allows opportunity for enrollment in advanced coursework or interest areas.

(2) A QUALITATIVELY DIFFERENTIATED CURRICULUM FOR ACADEMIC AREAS IN WHICH THE INDIVIDUAL QUALIFIED ON THE CRITERION BATTERY.

Similar to the elementary level, there shall be greater emphasis on creative and productive thinking processes and on a wider variety of educational experiences. (See *Program Conent: Elementary* section above) However, secondary students may be expected to display areas of unique interest and competency. The appropriate level of instruction shall be provided for each student in the specific content areas, such as special programs for the gifted, honors programs, and advanced placement.

(3) SPECIAL SEMINARS FOR IN-DEPTH EXPLORATION OF RELEVANT PROBLEMS, CONTEMPORARY ISSUES AND AESTHETIC, PHILOSOPHICAL, OR HUMANITARIAN TOPICS.

The frequency and length of seminars shall be determined by student(s) and person(s) responsible for gifted programs at the district/building level. Seminars may be conducted by students, regular educators, paraprofessionals, parents, resource persons, or combinations of the foregoing under the guidance and supervision of gifted program personnel. It should be noted that in programs for the gifted the teacher will more often serve as a facilitator than as a disseminator of knowledge. Groupings for seminars may cross grade levels. Special seminars may satisfy subject credit requirements with approval of the district school board.

(4) FLEXIBILITY OF SCHEDULING TO ALLOW ENROLLMENT IN A WIDE VARIETY OF LEARNING EXPERIENCES, SUCH AS FULL COURSES, MINI-COURSES, LEARNING MODULES, AND INDEPENDENT STUDIES IN ACADEMIC AND NON-ACADEMIC AREAS.

Differential content and learning experiences may be incorporated under any prototype model. (See Figure 1 of this section.) Additional information will be contained in program procedures under development.

SELECTION OF PERSONNEL

Teachers, facilitators, coordinators, and supervisors are vital components in any program for the gifted. Therefore, the selection of professionals to function in these roles is critical. In addition to certified personnel in gifted education, local education agencies may also utilize media specialists, academic or tutorial advisors (mentors) for the gifted. Academic or tutorial advisors are specialized personnel who act as advisors, as well as instructors, to students. These advisors may instruct in one or more content/interest area(s), but also work closely with regular education personnel in the designing of educational experiences for individual students. Personnel assigned to programs for the gifted shall be certified in gifted education and will possess additional skills to allow for differentiated staffing.

2. LANGUAGE, SPEECH, AND HEARING IMPAIRED

DEFINITION

The inclusive term, communicative disorders/deviations/needs, is used to denote the continuum of problems and needs to be found in pupils requiring language, speech, and hearing services.

(1) Pupils with *communicative needs* include the general school population for whom organized, sequenced curricular activities should be provided to promote the development of adequate communicative skills that will be beneficial to them as part of their overall educational program.

(2) Pupils with *communicative deviations* include those with mild developmental or non-maturational problems in language, voice, fluency, or articulation as well as those with a hearing loss. These individuals need interventional measures in order to permit them to perform satisfactorily in the educational setting. Such measures may be programmed at a different level than for those pupils with a more severe impairment.

(3) Pupils with *communicative disorders* are those exhibiting impaired language, voice, fluency or articulation, and/or hearing to such degree that academic achievement and/or psycho-social adjustment are affected and are handicapping to the individual.

(4) *Multiply handicapped pupils* include those with two or more conditions requiring special educational services designed to ameliorate the effects of the combined impairments. The multiply handicapped hearing impaired refers to a child having significant physical, emotional, mental, or specific learning disabilities in addition to or concurrent with a hearing impairment. When communicative disorders/deviations/needs are present, the provision of language, speech, and/or hearing services is considered essential.

Language/Disorder and/or Impairment

Language and speech impaired are those whose basic communication system (whether verbal, gestural, or vocal) evidences disorders, deviations or general developmental needs in language, speech, fluency, or voice quality, which hinder their academic learning, social adjustment, self-help skills, or communication skills.

Voice Disorder/Impairment

Voice disorder/impairment means abnormalties in pitch, loudness, or quality resulting from pathological conditions or inappropriate use of vocal mechanism that interfere with communication or produce psycho-social maladjustment.

Fluency Disorder/Impairment

Fluency disorder/impairment means disruptions in the normal flow of verbal expression that are not readily controllable by the pupil and occur frequently or are markedly noticeable. These disruptions occur to the degree that the pupil and/or his/her listeners evidence reactions to the manner of speech and the disruptions so that communication is impeded.

Articulation Disorder/Impairment

Articulation disorder/impairment means defective production of phonemes (speech sounds) that interferes with intelligibility of speech. Types of misarticulation include substitution of one phoneme for another, omission of phonemes in words, phonemic distortions, and inappropriate additions of phonemes.

Hearing Disorder/Impairment

Hearing disorder/impairment means a loss of auditory functions sufficiently severe to affect the pupil's ability to communicate with others or to develop communicative and/or learning skills.

Language, Speech, and/or Hearing Programs

Language, speech, and/or hearing programs and services include the activities, materials, procedures, habilitation, and instruction required by pupils with communicative disorders, deviations, and needs which are provided by speech pathologists, audiologists, teachers of the hearing impaired, hearing clinicians, program administrators, supervisors, and other appropriate professional and paraprofessional support personnel.

GENERAL CONSIDERATIONS

The following regulations apply to the provision of language, speech, and hearing services, both educational and education related.

Least Restrictive Environment

Individuals requiring language, speech, and/or hearing programs or services shall be educated in the regular school program of the local school; shall receive instruction in classes attended primarily by pupils who are not otherwise handicapped; and shall be furnished such supplementary equipment, facilities, and remedial or other services as may be necessary to enable them to perform satisfactorily in the normal learning environment of the school. Special classes, facilities, and services shall be provided according to the unique needs of the child. Such classes, facilities, and services shall be provided outside of the regular school program only to the extent that (1) other locations are necessary for the proper performance of educational, clinical, medical, or other services; or (2) such performance requires equipment, facilities, or personnel who cannot reasonably and efficiently be accommodated in the premises of the regular schools.

Screening and Assessment

Language, speech, and/or hearing programs and services shall include screening and assessment procedures to ascertain whether a pupil is in need of communicative skill development, remedial or supportive instruction, and habilitation, counseling, or other aid in order to permit him to benefit from or perform reasonably in an educational program directed toward the goal of becoming self supporting. Hearing screening is mandated in K.S.A. 72, Article 12. In compliance with the Mandatory Hearing Screening Act every individual assigned by a local education agency to conduct hearing screening shall be competent in the use of a calibrated audiometer.

Audiometric Technicians

In order to assure competency in the use of the calibrated audiometer, workshops and evaluation sessions of the technicians will be conducted by the Special Education Administration Section, Kansas State Department of Education, and the Bureau of Maternal and Child Health, Kansas State Department of Health and Environment. The competency review by the state specialists will take into consideration in-service workshops that they conduct and other formalized training on the part of individuals. Assessment of the audiometric technicians will be made at least once every two years. Certificates of competence will be awarded on a regular basis to those participants from local education agencies and other agencies. Audiometric technicians will be classified as non-certified personnel.

METHODS OF PROVIDING SERVICES

Approvable Delivery Models

The following options constitute a continuum of direct and/or indirect services appropriate for pupils with communicative disorders, deviations, or needs. (See LEAST RESTRICTIVE ALTERNATIVES section)

(1) A consulting teacher model may be used in which language, speech, and hearing specialists provide services to regular or special classroom teachers, curriculum specialists, and parents. Such services include the provisions of information on communicative skill development, specialized materials and procedures, demonstration sessions, and other activities organized to help pupils develop appropriate communicative behaviors in social, educational, and cultural contexts.

(2) Itinerant services to pupils whose primary placement is the regular classroom, special education classroom, resource room, residential school, private school, hospital, or homebound program.

(3) Resource room staffed with language, speech, and/or hearing personnel.

(4) Self-contained classroom primarily for children with hearing impairments.

(5) Parent/infant instructional services which provide parents of preschool children with guidance demonstration, and instruction to develop appropriate communicative behaviors and skills. Such programs are appropriate for children who are determined to be actually or potentially handicapped in developing necessary communicative skills.

(6) Postsecondary academic, and/or vocational programs.

ADMINISTRATIVE STRUCTURES

Public School Programs

Administrative plans appropriate to the education of hearing impaired pupils are the self-contained classroom, the resource room, the itinerant teacher plan, and consultative services for the regular classroom teacher. In addition parent/infant instructional services and postsecondary academic and/or vocational programs are approvable. (See LEAST RESTRICTIVE ALTERNATIVES section)

Preschool Programs

In meeting the needs of preschool or multi-handicapped children with hearing impairments, schools shall plan with the Special Education Administration Section to establish individually designed supportive services. Many hearing handicapped children will require such services in their home communities in order that they may be ready for appropriate educational situations. While educational services are not mandated for preschool children, it is strongly recommended that early intervention programs be provided whenever possible and so authorized.

Residential Programs

Supervision: The administrative structure and operation of the Kansas State School for the Deaf shall be subject to direct approval by the State Board of Education. The educational program of the Kansas State School for the Deaf shall be monitored and supervised by the Special Education Administration Section of the State Department of Education through the Commissioner of Education, including program approval, curriculum, and certification of teachers.

Program Emphasis: The program emphasis at the Kansas State School for the Deaf shall be to specialize in providing services for hearing impaired children in the following circumstances:

(1) Those children who are hearing impaired and live in an area where there are no services available.

(2) Those children who are hearing impaired and live in an area where there are services but live in a home setting that fails to meet the needs of the child; and

(3) Those children who are hearing impaired and have accompanying compounding handicapping conditions to the extent that they cannot adequately function in a public school program.

(4) Provide short term training sessions when needed and not available locally.

(5) Provide staff development for individuals working in the area of the hearing impaired.

(6) Provide special parent-child training sessions.

Admission to State School: See STATE INSTITUTIONS section.

TEACHER PREPARATION

Teachers at the Kansas State School for the Deaf shall hold certification as specified in the policies adopted by the State Board of Education (5-10-77). All other teachers of the hearing impaired in the state shall meet the certification requirements as stated in the most current Certificate Handbook.

SERVICES AND PROGRAM MANAGEMENT

Identification and Assessment

Each local education agency shall establish and maintain an ongoing identification, assessment, and diagnostic program to ensure early identification of and appropriate services for pupils requiring language, speech, and/or hearing services. The program shall include the following:

(1) Speech and language screening.

(2) Provision for identification audiometry as outlined in 72-1204 (Mandatory Hearing Screening).

(3) A referral system that includes contacts with teachers, school administrators, parents, and any others having specific responsibilities for, or knowledge of, pupils in need of language, speech, and hearing services.

(4) Language, speech, and hearing diagnostic services provided by speech pathologists, audiologists and teachers of the hearing impaired for pupils detected by screening or referral. As a minimum, the diagnostic procedure shall include assessment of articulation, language, fluency, voice, auditory acuity and perception, and examination of the peripheral speech mechanism. In the case of a permanent hearing loss, a comprehensive evaluation is required. The procedures outlined in the SCREENING, EVALUATION, PLACEMENT, AND REVIEW section of the Plan shall be followed.

Children who have a speech impairment as their primary handicap may not need a complete battery of assessment, for example, psychological, physical or adaptive behavior. However, a qualified speech/language clinician shall (a) evaluate each speech impaired child using procedures that are appropriate for the diagnosis and approval of speech and language disorders and, (b) where necessary, make referrals for additional assessments needed to make an appropriate placement decision. It shall be the clinician's responsibility to implement this action. (See SCREENING, EVALUATION, PLACEMENT, AND REVIEW section)

(5) Specialized tests, materials, and equipment appropriate to the diagnostic process for the use of qualified language, speech, and hearing program staff.

(6) A registry of identified pupils to be maintained by the local education agency and provision made for its periodic review. Adequate records of all pupils screened shall also be maintained.

If the screening and assessment procedures required by these regulations are performed by an agency other than the school district, it shall be the duty of the school district to assure that these procedures are in compliance with state guidelines.

Individualized Educational Program and Placement

An individualized education program must be developed prior to any speech, language or hearing services. (See SCREENING, EVALUATION, PLACEMENT, AND REVIEW section) Local education agencies shall have written criteria to determine eligibility and placement of pupils in language, speech, and hearing programs. Pupil placement shall be

reviewed at least on an annual basis; and pupils enrolled in language, speech, and hearing services shall be re-evaluated or reassessed at least annually by speech pathologists, and audiologists, and teachers of the hearing impaired. Written documentation shall be prepared for the specialist's recommendations relative to:

(1) Retention in the program,
(2) Transfer to a different program or service, or
(3) Dismissal and follow-up.

CLASS SIZE AND CASELOAD

Factors which obviously will influence effective pupil/teacher ratios include the following:

(1) The type and severity of handicapping conditions represented by individuals requiring services and their chronological age.
(2) Travel distance required for teachers and/or pupils.
(3) Number of facilities in which services will be provided.
(4) Professional competencies of the specialist.
(5) Adequacy of service supervision.

Regulations should permit operational flexibility by making caseload and class size decisions for each program the responsibility of each local education agency based on the professional recommendations of individual language, speech, and hearing staff members. The Special Education Administration Section is working toward this goal of local, individualized caseload, and class size determinations. The following caseloads and class sizes are offered as guides. It is not anticipated that the pupil/teacher ratios of any two programs within a local education agency which is programming effectively will be identical. Speech, language, and hearing programs which *exceed* the maximum numbers suggested will be subject to review.

(1) *Itinerant Speech and Language Programs:* Maximum caseload shall be sixty-five pupils per week. If intensive scheduling is used, thirty pupils per cycle or block. Certain program delivery models in the area of language may warrant a larger caseload. When such delivery models are used, approval shall be obtained from the Special Education Administration Section.

(2) *Hearing Impaired:* The purpose of special class placement is to provide specialized, small group, and individualized intensive educational management. When paraprofessionals are employed as a part of any of the following special class program models, the maximum caseload may be increased by three pupils. The chronological age span shall not exceed three years unless permission is obtained from the Special Education Administration Section.

	Maximum
Special Self-Contained Class - Preschool	6
Special Self-Contained Class - Primary	6
Special Self-Contained Class - Intermediate	8
Special Self-Contained Class - Secondary	8
Special Self-Contained Class - Elementary (two or more levels combined)	6
Special Self-Contained Class - Secondary (two or more levels combined)	8
Itinerant	15

	Maximum
Resource Room	As Needed
Diagnostic Assessment	As Needed
Parent/Infant	20*
Multi-Handicapped Hearing Impaired	As Needed (Based on individual program approval)
Residential	The same maximums apply for delivery models listed above
Mainstreaming in Regular Class	2**

* Because of the various possibilities for developing parent/infant programs, the maximum number of twenty is used when parent and child are seen primarily on an individualized basis.

** No more than two hearing impaired students may be assigned to the same regular classroom and/or regular classroom teacher when such students are placed into the mainstream from a special program.

PARAPROFESSIONALS

Paraprofessionals may be employed as support personnel in language, speech, and hearing. Those paraprofessionals employed in hearing delivery programs shall meet those requirements as outlined in the PARAPROFESSIONALS IN SPECIAL EDUCATION section of this Plan. For those paraprofessionals employed in language/speech delivery programs, all procedures shall be followed as outlined in the PARAPROFESSIONALS IN SPECIAL EDUCATION section, except supervision may be on a once-a-week basis.

In these cases close monitoring shall be made at the local and state levels to protect the right of the child as to services being administered. The language/speech clinician shall develop a monitoring system for checking the reliability of the services performed by the paraprofessionals.

Paraprofessionals may be employed to conduct hearing screening evaluations. When such persons are employed, they shall meet the same training procedures as outlined under Audiometric Technicians in this section.

FACILITIES, MATERIALS, AND EQUIPMENT

Facilities

It is required that each school or other center where language, speech, and hearing services are provided supply appropriate facilities, materials, and equipment. The following special provisions apply to programs for children with communicative/disorders/deviations/needs.

(1) Itinerant and consulting language, speech, hearing conservation and audiometric hearing screening programs may utilize mobile speech and hearing vans when appropriate available space in schools and other centers does not meet the state approved standards. Such facilities shall be only a temporary measure, and the school district plan submitted shall provide for their replacement with permanent facilities. All temporary facilities shall be approved on a yearly basis by the Special Education Administration Section.

(2) Itinerant program personnel, consulting teachers, and supervisors shall be provided office space, secretarial assistance, and telephone usage.

(3) If diagnostic audiological services are offered, a specially constructed, sound-treated suite providing adequate attenuation of outside noise shall be available. For maximum noise levels, see recommendations in ANSI S3.1 (1960 R-1971), "American National Standard Criteria for Background Noise in Audiometer Rooms."

(4) Local education agency operating model or demonstration programs through special grants for such purposes shall provide observation areas or windows in the facilities so that classroom or program interruptions by visitors may be minimized.

Materials and Equipment

Instructional Programs: Pupils with language, speech, and/or hearing problems often require highly specialized instructional materials and equipment in order to meet their individual needs. Such equipment may include auditory equipment, acoustical treatment of the classroom, caption films and other visual media, tape recording equipment, and multisensory teaching aids. Each local education agency shall provide and make available for its language, speech, and/or hearing programs necessary equipment and materials.

Audiological Diagnostic Services: For programs offering comprehensive audiological diagnostic services, the minimum audiometric test equipment shall include a calibrated audiometer with provision for field audiometry. The audiometric instrumental array shall be capable of performing at least the following diagnostic procedures:

(1) Hearing screening.
(2) Pure tone and bone condition testing (with contralateral masking).
(3) Speech discrimination and speech reception audiometry.
(4) Site-of-lesion battery.
(5) Hearing aid evaluation and/or consultation.

A planned program for the maintenance of all equipment and the regular calibration of audiometers shall be in operation. A calibration log shall be maintained in the local education agency and be available for inspection.

3. MENTAL RETARDATION

DEFINITION

Mental retardation is the limitation of mental ability which differs in both degree and quality to the extent that special assistance is necessary to aid the individual in the acquisition of understandings and skills for interacting and relating to environmental situations.

Each mentally retarded individual acquires a range of behaviors which he/she can use in order to perform on an independent basis in some situations, while he/she will require assistance and/or support to perform in other situations. Since mental retardation occurs on a continuum, the ability to perform independently also occurs on a continuum. The dependency levels of this continuum range from independent performance through semi-independent, semi-dependent, and dependent to totally dependent performance. Table 1 provides a summary of the four levels of retardation. The program of service for the dependent and the totally dependent learner is outlined in the program area for severely multiply handicapped. (See SEVERELY MULTIPLY HANDICAPPED/DEAF-BLIND section) It is necessary to outline some relationships to this program area in this section since some individuals from the lower functioning group may receive services in programs for the mentally retarded for a period of time. Also, some individuals in this population may increase in level of performance to the extent that the program for the mentally retarded would be selected as one of several choices for least restrictive alternative placement.

INTRODUCTORY STATEMENT

Special Education programs for the mentally retarded have been a part of the public schools since the early 1950's. Current program activity will focus on strengthening of existing services. Major emphasis will then be on an evolving program of evaluation, quality of service provided, and education's responsibility for providing a comprehensive service to all exceptional children.

CHANGES IN EXPECTATIONS AND NEEDS

Mentally retarded individuals are being expected to assume new roles in society. These expectations result from the following: (1) New understandings of the individualization of instruction as it relates to the learner's developmental capability and performance in decision-making and abstract thinking. There is recognition that each learner can acquire the skill to reduce the abstract to his/her developmental level of thinking. (2) The principle of normalization which requires that the learner participate in situations as nearly as possible like those in which his/her peers participate. Therefore, learning situations are selected so that the learner can be a contributing member to the interaction and decision-making procedure. (3) New approaches to learning which help the learner acquire increased skills for making generalizations and relating understandings from his/her learning to actual life situations. (4) The increased mobility of learners which requires more independent decision-making about the situations they encounter.

Education, like other facets of society that work with the mentally retarded, must place program emphasis on individual needs related to (1) selectivity, values, and attitudes; (2) bringing order into living; (3) establishing relationships; and (4) balanced living.

In brief, the long range needs of the semi-independent and the semi-dependent mentally retarded are those related to the realization that these individuals will be required to make independent decisions (at their level of capability) as adults in our society in the future. Program emphasis is changing as a result of attitudinal changes in society and the realization that these individuals are capable of becoming more mobile and can interact in a multiplicity of environmental settings.

ALTERNATIVES FOR PROVIDING SERVICE

Schools may provide services through their own administrative operation and/or as a part of a special education cooperative. Services for these individuals also may be provided by

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(1) a public school employed and supervised teacher who works as a team member at a private facility while under the supervision of the school and (2) the public school contracting for services with a private or public school that is accredited as a special purpose school. (See LEAST RESTRICTIVE ALTERNATIVES section)

PROGRAM GOALS

The program area has two major goals which are interrelated and dependent on each other. One goal is concerned with an evolving developmental learning program of service for the individual learner. The second goal is concerned with a continuous and ongoing program of change that relates to all parts of the instruction and learning process. *Kansas Plan of Program Management and Evaluation*, in the program area of mental retardation, includes program administration, evaluation, and monitoring for the evolving program of change.

Program of Service

The purpose of the developmental learning program of service is as follows: (1) To assist the individual in the acquisition of a range of behaviors and evaluation techniques that can be generalized to (a) organized learning situations and (b) everchanging societal situations which the learner will encounter throughout his/her lifetime. The range of behaviors includes interrelated developmental levels of learner performance -- semi-independent, semi-dependent, and an awareness of two additional levels of dependent and totally dependent -- and extends from early childhood to adulthood. Each situation which the learner encounters is viewed as a learning experience that is a part of continuous learning throughout the individual's lifetime. Education then becomes a process of living, and life becomes a part of the educational process. (2) To focus on lasting processes for interaction. The processes directly relate to the individual learner's developmental level of analyzation, identification and selection of alternate solutions, and responsibility for the consequence of his/her own behavior and/or performance. Curriculum emphasis then provides opportunities for reinforcement of understandings, skills, and knowledges which the learner directly relates (generalizes) to all his/her environmental or total life experiences. Knowledge and facts are still a part of the learning situation, but are preceded by (a) the developmental practiced understandings of thought processes which provide the readiness for participation and (b) the methods for interaction with space, time, action, people, things, and ideas.

Curriculum Development and Instructional Improvement

The statewide program in mental retardation interrelates the instruction and learning process and program administration. Its purpose is to provide a comprehensive and coordinated procedure and structure for program management, organization, and evaluation based on all the parts of the instruction and learning process. The program, implemented at both the state and local levels, receives momentum from an evolving statewide in-service structure that utilizes the thinking behaviors and practices of educators and learners. Within this frame of reference, neither teachers, program coordinators, directors, nor individual learners will utilize the same steps; nor will they be expected to attain the same level of performance within a given period of time. Likewise, no two program units will be expected to maintain either identical service or identical expected learner performance. There are, however, local and statewide commonalities which provide continuous clarification, direction, and evaluation. The in-service program and its implementation are based on the concept of the teacher as a continuous learner who uses the same technique for learning as that used by children and youth.

Evaluation of performance is based on a progression of thinking behaviors which relate to learner performance as well as teacher performance. Therefore, program momentum results from continuous evaluation which identifies the readiness level for succeeding areas of interaction and the most effective means for the delivery of service.

ADMINISTRATIVE LEVELS OF INSTRUCTION

Table 2 provides a brief overview of seven levels of instruction. A sample entry for the instructional emphasis is given at the junior high level of service. In a continuous program of service, there is an overlap of age groupings and instructional levels. Each school district shall make appropriate revisions in age groupings and provide statements for program emphasis at each instructional level.

SCREENING AND EVALUATION

Screening, evaluation, and placement procedures for the program area of mental retardation shall use procedures outlined in the sections entitled SCREENING, EVALUATION, PLACEMENT, AND REVIEW PROCEDURES, and PROCEDURAL DUE PROCESS.

MOST REALISTIC AND LEAST RESTRICTIVE PLACEMENT

The principle of normalization is applied to each learning experience if education is to provide the most realistic and least restrictive setting for each individual at a given period of time. This approach moves beyond emphasis on specific types of delivery systems, for example, resource room, special class, hospital, to consideration for each activity or experience in which the learner participates.

Regardless of the program delivery system in which the learner is enrolled, each learning experience must be interrelated with other learning experiences and/or actual life situations. Therefore, each learning experience for the individual should be based on his/her present developmental capability for using that learning experience to reinforce and/or expand his/her present level of performance.

Building Level Staffing Committee for Educational Experiences

A building level staffing shall be conducted to assure the most realistic and least restrictive setting, experiences, and priorities for each learner receiving services of the program area of mental retardation. This staffing expands and individualizes recommendations made by the original screening, evaluation, and placement procedures.

Committee membership shall include at least three educational personnel directly involved in day-by-day instructional planning for the learner. At least two members shall be the learner's teacher and the building principal or his/her designee. If the original staffing has indicated the possibility of enrollment in a community facility, committee membership should include community facility personnel. Committee membership shall also include the parent or guardian and may include the learner. Other committee members might include (1) the coordinator of programs for mentally retarded, (2) curriculum specialist for mentally retarded, and (3) regular education teacher representative.

Placement Justification

The administrator responsible for special education and the Committee for Building Level Staffing shall be prepared to certify that:

(1) Opportunities are available for the individual learner to acquire appropriate learnings as stated under program goals.

(2) The instructional program aids the learner in establishing relationships among his experiences in all educational settings.

(3) The learner is actively involved and participates in the selected learning experiences.

Education Settings for Learner Enrollment

Each local or regional area of the state has different services currently available and different capabilities for providing the full range of services. Local school administrators and their staff shall work with personnel from other agencies to identify a full range of services and procedures for the movement of learners to the most realistic and least restrictive placement. This locally developed service continuum shall be included as a part of the local comprehensive plan.

Table 3 provides an example, at the junior high level, of the settings in which special education experiences can be provided. The program manual will provide an outline of educational experiences or settings in which mentally retarded individuals may participate, both now and in the immediate future.

PROGRAM MANAGEMENT AND CHANGE

The *Kansas Plan of Program Management and Evaluation* utilizes an evolving comprehensive administrative procedure of program management, evaluation, and organization. In this procedure, a process approach results in evaluation and continuous recharting of courses of action. The thought processes of individuals involved and how they respond in their roles give direction for change. The distant future, as well as current level of program development, becomes a part of the evaluation and recharting procedure.

By using a hierarchy of goal structure (visionary, attainable, and immediate goals), program change is continuous and on-going as opposed to instantaneous. Initially, this approach does and should move slowly. However, as the approach becomes operational, it provides for more rapid and interrelated change based on evaluation of the total instruction and learning process.

ADMINISTRATIVE ORGANIZATIONAL VARIATIONS

The level of performance practiced by the staff and the learners has a direct relationship to the way an education service may be organized. The level of practiced performance of the teaching staff directly affects learners' ability to organize and manage themselves in the instruction and learning process.

The Kansas Plan utilizes program evaluation, based on practiced performance, to identify readiness for the next level of program change. Therefore, as teachers and learners jointly acquire new practiced understandings, program evaluation identifies readiness for new ways to organize the education program.

When one views ways of organization for delivery of service, it becomes apparent that, in the future, most teachers will function as team members. The gradual, as opposed to instantaneous, change from present practice will provide teachers with time to develop practiced understandings in order to function as team members.

For these reasons, many teachers will, and should continue, to function in a classroom setting that offers the learner selective integration. While working with other teachers (regular education and special education) to provide a coordinated program of selective integration, the teacher will be acquiring many of the initial skills and understandings for functioning as a team member. This approach, which is currently a part of in-service training, is one method of systematically moving learners into a less restrictive placement.

This section includes listings of commonly practiced staffing arrangements, abbreviated descriptions of program organizations which interrelate education with other facilities and agencies, and specific descriptions of staffing arrangements.

Single Teaching Unit

One teacher may organize and manage the program within an instructional setting which utilizes a minimum of four to six learning centers. This arrangement is similar to present organization. However, process teaching requires a balance between small group and total group instruction. Change in instructional programming is based on instant feedback from both teacher and learner evaluation.

The single teaching unit may be a modified resource or special room in which learners are selectively integrated. In isolated rural settings, the single teaching unit may be an itinerant person who provides service for semi-independent learners. The teacher in this itinerant program should devote a large percentage of time in assisting learners in the acquisition of understandings related to practical aspects of daily living and in transferring understandings from one learning experience to another.

Team Teaching Unit

Teamwork is required for all ways of organizing the education program. Therefore, all teachers should work to strengthen their practiced capability to function as team members. Perhaps the most common, but loosely structured, practice of team teaching is where two programs are housed in close proximity.

Learners and teachers move to different rooms for specific learning experiences. Joint planning between these teachers provides more opportunities for developing a program based on readiness or the attained level of performance of individual learners.

The teacher of the mentally retarded may serve as a team member where some or most of the team members are regular teachers or are specialists in other areas of special education. Team teaching arrangements may include the following:

(1) A teacher skilled in the process and/or developmental approach to learning who is a member of a team of teachers and paraprofessionals planning for an instructional level which includes mentally retarded learners in an open school or continuous progress program. In this arrangement, a modified resource room provides support for mentally retarded learners who require additional support.

(2) Teachers employed and supervised by public schools who work as team members in a community day care center or a private facility.

(3) Teachers employed and supervised by local public schools who work as members of a team in a residential or hospital setting.

(4) Teachers employed and supervised by the local district who work as team members of work training programs in a vocational technical school, an industrial training setting, a sheltered workshop setting, a work activity center, or in a competitive industrial setting.

One statewide activity in the *Kansas Plan of Program Management and Evaluation* approach utilizes procedures designed to assist teachers in acquiring continuously higher performance skills as team members. This team competency progresses from two teachers sharing responsibility to a highly organized team effort in which some teachers may be responsible for specific instructional centers while other teachers may have responsibility in all the instructional centers of the comprehensive program.

STAFFING OF DEVELOPMENTAL LEARNING CENTERS

The developmental learning centers were first organized to provide a program for low functioning, semi-dependent mentally retarded individuals where large population groups were being provided a service. Generally, this organization is still being used where large numbers of these learners may have a second handicap, such as emotional problems, hearing loss, or are physically handicapped. Also, this arrangement is sometimes used in semi-dependent transition to adult living programs. This education setting for semi-dependent (and at times semi-independent) learners is staffed by multidiscipline personnel and may be located in a (1) school setting, (2) community facility, or (3) hospital residential setting.

The special education trained staff in a comprehensive developmental learning center should include certified personnel with different areas of specialization. At least one teacher should have training in mental retardation and have had experience with the type of existing handicapping conditions found among the population of the center. Staffing needs of the learners being serviced in these centers may be determined with consideration for factors, such as (1) severity of handicapping conditions, (2) impact of interpersonal relationships among individual learners and/or groups of learners, (3) degree of individual learner mobility, (4) need for related therapies and/or follow-up of therapeutic activities recommended and/or structured by a specialist, (5) extent of behaviors which have a potential for harm or injury to self or other, and (6) extent to which each learner can attend to and/or continue an activity while support is being decreased.

PARAPROFESSIONALS

Paraprofessionals may be employed as support personnel in programs for the mentally retarded. (See PARAPROFESSIONALS IN SPECIAL EDUCATION section)

WORK PLACEMENT OR REHABILITATION SPECIALISTS

The services of a work placement or rehabilitation specialist in special education (see Special Teacher in GLOSSARY) should be provided in the public schools for the purpose of assisting special education in community and agency involvement, job training, work placement, and follow-up studies. This individual will work with all program areas of special education as well as in the program area of mental retardation. In larger school districts there will be more than one specialist since the active caseload may range between thirty-five and one hundred individuals depending upon the complexity of the cases. This specialist will relate to other specialists who are providing the full-range of work training services required in special education.

Work placement specialists may be employees of other community agencies. Coordination of agency effort, then, would make available the following specialists:

(1) A vocational rehabilitation counselor employed and supervised by the regional Social and Rehabilitation Service Office who becomes a member of the public school sponsored and supervised team for the secondary program of transition to adult living.

(2) A member of a joint special education and vocational education team associated with a vocational technical school program or vocational education program of the high school.

(3) A sheltered workshop, work training, and/or placement specialist for lower functioning semi-independent learners and/or semi-dependent learners who is employed and supervised by a public or private agency. These persons may work within the public school setting or community agency to provide both pre- and sheltered workshop experience as a part of the older teenage and young adult transition program.

(4) A work activity specialist for initial work experiences for lower performing semi-independent and/or for semi-dependent prior to attainment of level required in a sheltered workshop and/or activity setting. This service may be a part of a contractual arrangement with a special purpose school or an in-kind arrangement where the public school provides teenage and young adult transition programs and the public or private agency provides work activity programs. Regardless of the arrangement, the work activity specialists and teachers must work as a team.

Special approval must be obtained for senior high programs in which the teacher is required to do work placement assignments in addition to providing the special instructional program. The instructional program includes the provision of follow-up and support for learners enrolled in regular classes. Approval will be contingent upon adequate release time for the teacher and reduced pupil-teacher ratio. Also, approval for this arrangement will be based on justification that the program of service includes the broader spectrum of transition to adult living and is designed for the level of capability of learners enrolled.

MAXIMUM ENROLLMENT

Ideally, no maximum number for program enrollment would be required. Eventually, local personnel concerned with screening, evaluation, and placement procedures will provide staff development that is related to local determination of the ratio of teachers, paraprofessionals, and learners. This aspect of program of service is being related to as a long range goal possibility in the program area. Therefore, until educational planning can be more closely related to the process approach to learning, there will be numbers for maximum enrollments.

Approved programs will be based on a unit with qualified teaching staff and paraprofessionals. Variations in pupil teacher ratio may be necessary at the early childhood and continuing education levels of instruction.

Semi-Independent

Program units for semi-independent learners shall not exceed the ratio of fifteen learners per teacher in a full day of instruction, and the chronological age spread of the learners shall not exceed four years. Exceptions to this enrollment ratio are as follows:

(1) At the secondary level, one additional learner may be added for each year the chronological age spread is reduced up to a maximum enrollment of seventeen.

(2) Enrollments in secondary programs using paraprofessionals may be increased up to twenty if a curriculum specialist or teaching supervisor is available. This specialist/supervisor must devote full-time to instructional improvement at all levels of instruction as opposed to administrative responsibilities or one instructional level of the program of service. Ratio of a curriculum specialist or teaching supervisor shall not exceed one for thirty-five teachers. One for twenty-five teachers is preferred.

(3) Senior high transition programs with the support of a work placement specialist may be increased in enrollment up to twenty learners per program unit if there is a paraprofessional.

(4) Exceptions to program enrollments may be made to meet the needs of a student who moves into a school district during the school year, and who has been attending a special program prior to his/her move.

(5) Primary programs require a reduced learner enrollment of no more than twelve unless the services of a paraprofessional are available.

Semi-Dependent

Program units for semi-dependent learners in a full day of instruction shall not exceed a ratio of one teacher for ten learners, and the chronological age spread shall not exceed four years. A full enrollment of ten shall have the services of a paraprofessional. Exceptions to this enrollment number are as follows:

(1) If the chronological age span is reduced to two years, two additional learners may be added to the enrollment in the intermediate and secondary levels of instruction.

(2) Above the primary level, enrollments may be increased by two for each paraprofessional unless there are learners enrolled who require one-to-one instruction for at least one-third of their instructional activities. The increased enrollment also requires the support of a curriculum specialist as outlined in (2).

(3) Enrollments in secondary transition programs which are interrelated with sheltered workshop and work training may be increased up to fifteen learners. This number requires at least one paraprofessional and formal working relationships with work specialists in the sheltered workshop.

PROGRAM FACILITIES

Facility Location

Program units for semi-independent mentally retarded learners shall be housed within a school plant that provides education services for regular education learners of comparable chronological age.

Program units for semi-dependent shall be housed either within a regular education facility with learners of comparable physical size, in separate housing with access to interaction with normal peers to permit normalization experiences, or within a complex that includes a sheltered workshop. Regardless of the facility location for the program of service, the interpersonal contacts should include opportunities for actual life peer and/or broader age range groups (including adults) with which learners interact in life.

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TABLE 1. DEFINITIONS OF MENTAL RETARDATION

		SERVED IN SEVERELY MULTIPLY HANDICAPPED PROGRAM	
SEMI-INDEPENDENT LEARNER PERFORMANCE	SEMI-DEPENDENT LEARNER PERFORMANCE	DEPENDENT LEARNER PERFORMANCE	TOTALLY DEPENDENT PERFORMANCE
(1) Mild retardation in intellectual development as per American Association of Mental Deficiency classification which provides a frame of reference. The incidence for this group generally ranges from a conservative 1.7 % to 2% of the population. (2) Ability to acquire understandings, skills, and knowledges for performance with no or minimal support when coping with practical life situations in both the immediate and larger community environment. (3) Adult capability to assume responsibility for employment utilizing skilled, semi-skilled, or unskilled abilities as a means of livelihood for self and family.	(1) Moderate retardation in intellectual development as per AAMD classification which provides a frame of reference. The incidence for this group generally ranges from a conservative .03% to .05%. (2) Ability to acquire the understandings and skills necessary for decision making life situations while receiving some support and/or having the ability to seek out and account to a responsible adult. (3) Adult capability to live and function (a) on a semi-independent basis in areas related to personal decision making and mobility within the larger community, (b) in an independent or semi-sheltered living arrangement, and (c) as a totally or partially self-supporting individual in a sheltered setting, as a member of a supervised work crew in the community, and/or with minimal supervision in the unsheltered areas of the community job market.	(1) Severe retardation in intellectual development as per AAMD classification which provides a frame of reference. (2) Individual decisions regarding immediate and neighborhood situations may require monitoring and/or supervision. (3) Personal mobility and movement may (a) be interspersed with actions that are not related to a pre-determined purpose, (b) initially require organized assistance to develop nearer their capacity for receiving stimulation from interaction with environment and/or to perform a continuum of activities related to personal living skills and (c) require prolonged assistance in relation of own actions to consequences and/or necessary precautions. (4) Personal goals related to exploration or interaction with environment are frequently short-term and/or initiated and prolonged by someone else. (5) Adult capability to live and function in a monitored and supervised environment with (a) assistance in planning, and (b) participation in activities related to the routine rhythm of living, environmental stimulation, and personal accomplishment.	(1) Profound retardation in intellectual development as per AAMD classification which provides a frame of reference. (2) Performance related to personal care and environmental stimulation generally requires a one-to-one situation with close support. (3) Need for availability of medical or nursing support as a complement to the education program.

TABLE 2. SCOPE AND SEQUENCE OF INSTRUCTION FOR SERVICE TO FOUR LEVELS OF MENTAL RETARDATION

DEVELOPMENTAL LEVELS OF PERFORMANCE

ADMINISTRATIVE LEVELS OF INSTRUCTION	SEMI-INDEPENDENT	SEMI-DEPENDENT	DEPENDENT*	TOTALLY DEPENDENT
Early Childhood **1) Infant and Young Child** **C.A. 0-3**				
2) Preschool **C.A. 3-5 or 6**				
Elementary **3) Primary** **C.A. 6-9 and possibly 10**				
4) Intermediate **C.A. 10-14**				
Secondary **5) Junior High** **C.A. 13-15**** **Teenager in larger environment – home, region, state, and nation**	Emphasis on: 1) Independent reinforcement of social and academic skills in variety of environments. 2) Beginning phases of work experience activities in on-campus situations and short term community employment. 3) Participation in specialized areas of regular school curriculum.	Emphasis on: 1) More extensive evaluation and retraining in the independent use of functional daily living skills in the larger community. 2) Basic academic skills receive increased emphasis in functional use as relates to living. 3) Pre-vocational training through increased responsibility and actual work experience situations in school and community.	Emphasis on: 1) Increased communication procedures. 2) Independence in meeting personal needs and knowing when to seek assistance. 3) Assuming responsibility for establishing routine. 4) Assuming responsibility for independently completing product or activity.	Emphasis on: 1) Increased independence in initiating action related to personal needs. 2) Increased ability to initiate and/or respond to situations related to environmental stimulation. 3) Participation in making of a product.
6) Senior High **C.A. 15 or 16 to 19 or 20**				
Continuing Education **7) Adult Education** **C.A. 19-20 and above**				

* This level more closely approximates the upper ability functioning level for one with potential for movement toward consideration for placement as a part of semi-dependent functioning group.

** This section is provided as a sample listing for one level of instruction.

TABLE 3. SETTINGS IN WHICH SPECIAL EDUCATION AND TRAINING ARE AND CAN BE PROVIDED

DEVELOPMENTAL LEVELS OF PERFORMANCE

ADMINISTRATIVE LEVELS OF INSTRUCTION	SEMI-INDEPENDENT	SEMI-DEPENDENT	SERVED IN SEVERELY MULTIPLY HANDICAPPED PROGRAM	
			DEPENDENT*	TOTALLY DEPENDENT
** 5) Junior High	Regular junior high with opportunity for participation in selected areas of practical aspects of daily living. NOTE: These experiences may be a part of a special education ongoing program or a part of special education offerings. Special education program with selective integration, based on developmental level, into regular content areas such as home economics, art, music, driver education, industrial arts, or developmental reading.	1) Special grouping with individual opportunities for selected integration with peer group and community. These experiences shall include actual use of daily living skills and/or opportunities to assume more defined responsibility in the community as well as in pre-sheltered workshops or industrial training sites. 2) Segregated school facility with opportunities for peer group and/or community experiences in actual use of daily living skills. 3) Short duration program in hospital setting when related problems require additional therapies and/or services.	Developmental Center setting in private or public school facility with opportunities for: 1) Developing readiness for pre-sheltered employment, 2) More independent experiences in the community related to practical aspects of daily living, 3) Acceptance of and follow through on responsibility. Hospital setting and/or specialized community groupings where multiple needs are such that help is not available elsewhere.	Developmental Center in the community with emphasis on more independence in meeting personal needs and responding to environmental stimulation in: 1) School settings, 2) Private facilities. Hospital setting in which the total environment is used to provide learning situations.

* The descriptions are more appropriate for the borderline individual who would be approaching readiness for initial movement toward placement in program arrangement for semi-dependent performing individuals.

** This table provides sample listing from one area of instruction.

4. PERSONAL AND SOCIAL ADJUSTMENT PROGRAMS

The trend today in personal and social adjustment programs utilizes the positive approach of studying the student's educational strengths rather than of focusing on the emotional problem and then adjusting the program to meet the student's needs. The goal of programming is to enable the child to function adequately in the educational mainstream. This philosophy is facilitative education with an emphasis on the child's progress toward personal and social adjustment.

CHARACTERISTICS OF CHILDREN WITH PERSONAL AND SOCIAL ADJUSTMENT PROBLEMS

Personal and social adjustment problems typically manifest themselves as marked behavior excesses and deficits which persist over a period of time. Behavior excesses and deficits include the following:

(1) Aggressive and/or anti-social actions which are intended to agitate and anger others or to incur punishment,
(2) Inappropriate and/or uncontrollable emotional responses,
(3) Persistent moods of depression or unhappiness,
(4) Withdrawal from interpersonal contacts,
(5) Behaviors centrally oriented to personal pleasure seeking with little or no regard to the consequences of any acts.

Singly or in combination, behavior excesses and deficits may be indicative of emotional disturbance, mental illness, or social maladjustment if they are manifested over an extended period of time in various environments, and may interfere with social interactions and learning.

Like other handicapping conditions, personal and social adjustment problems range from mild to severe, from slightly disabling maladaptive behaviors to complex and less understood syndromes, such as autism or schizophrenia. Educational programs for all will require specific methods and techniques not generally applied in the regular classroom. Some may require only slight support within the regular classroom; others may require more intensive services.

PROGRAM OBJECTIVES

The major objective of personal and social adjustment programs is to assist the student within the educational setting in the development of appropriate methods of coping with and adjusting to the situations in which the student finds himself/herself. In instances where the adjustment problems are severe, education may become only a part of the total programming needs of the student. Other components which may become necessary in the total program may include individual and/or group counseling and family counseling. The educational focus of the personal and social adjustment program is on the identification of the strengths and weaknesses of the student and the implementation of procedures designed to facilitate normal adjustment, so that the child can function successfully in the school environment.

The curricular objectives of personal and social adjustment programs are, in general, the same as those of regular education. Special methods and materials, however, must be employed to motivate students and to alleviate and/or lessen their problems in order that they may achieve their potential. Many children with emotional problems do not perform in keeping with their intellectual ability. The aim of instruction should be to close or narrow the discrepancy between what the child is potentially able to do and what he/she actually does.

Students with behavior disorders, to the extent that continued assignment to the regular classroom creates an environment that perpetuates or even increases the observed behaviors, must be provided with an appropriate program variation. That program variation may include a highly structured classroom to help the student adjust to the educational environment. The purpose of the program is to assist students in changing their method of coping with situations which create problems for them and for others with whom they come in contact. Any placement, however, shall be in the least restrictive environment that is appropriate to the needs of the student. If the child must be segregated, the goal of any intervention shall be to return him/her to successively more normal educational settings until adjustment to and success in the regular education program is achieved.

PREVENTION

Early identification of children with social or emotional problems is critical. Repetitive failure can be prevented by introducing learning experiences geared to the child's developmental level. If educational patterns are carefully structured and geared to success, positive changes in personality patterns may be achieved. There is evidence that such positive changes are more apt to occur the earlier the intervention is introduced.

Preschool Programs

Various studies have shown that emotional and social problems can be identified at a very early age. Providing preschool programs for children with identified emotional and social disabilities is an effective and efficient way of preventing or lessening more severe problems later in the child's life. Early intervention may reduce the need for special programming when the child reaches school age, or may allow programming in a less restrictive environment that would otherwise be possible.

Preschool programming is, of necessity, different from elementary programming. More attention is paid to activities which promote interpersonal relationships and self concept than to formal academic experiences. Some readiness activities, however, should be introduced. Supportive services, such as individual and/or family therapy, are a vital part of any preschool program.

SCREENING, IDENTIFICATION, AND PLACEMENT

Screening

Referral is possibly the most widely used screening procedure for identifying children with adjustment problems that may require some type of help. Too often this important first step comes later than it should, thereby delaying needed program modifications and alternatives. It is essential, therefore, that a program of early identification be built into the educational system. Aggressive efforts should be made to educate the entire community as to the characteristics and needs of children with adjustment problems.

Referral of students suspected of having personal and social adjustment problems should be made by any person having close and regular contact with the student. This would include, but not be limited to, parents, teachers, building principals, special education personnel, outside agencies, and students themselves.

A number of personality inventories or behavior rating scales are available to assist teachers and support service staff in describing and, to some degree, quantifying behavioral excesses and deficits. While none of these instruments per se are acceptable for identifying children as personally or socially maladjusted, judicious use may help professional staff.

(1) Compare ratings of a specific child with the normative data of typical children,
(2) Identify specific overt behavior symptoms, and
(3) Understand the relationship between the rater and the child.

More information on suitable non-projective scales may be obtained from the Special Education Administration Section.

Identification and Placement

The purpose of Personal and Social Adjustment programs is to provide appropriate learning environments and services that facilitate the educational progress of the student. Before a student is assigned to a program variation, a comprehensive evaluation must be completed. Following the comprehensive evaluation, a placement committee will review the results of the assessment and make recommendations for specific educational and supportive services in the least restrictive environment. (See SCREENING, EVALUATION, PLACEMENT, AND REVIEW PROCEDURES section)

Frequent review of students' progress is necessary to ensure proper educational programming and, if segregation has taken place, successful reintegration into regular classrooms. All students served in a personal and social adjustment program shall receive a comprehensive re-evaluation at least once a year. This is a deviation from the usual procedures of the three years re-evaluation period.

All placements in personal and social adjustment programs shall be on a trial basis of no more than three months. If it is determined by the staffing committee that the present program modification is *not* appropriate for the child, action shall be taken to adjust the program to more adequately meet the needs of the child.

SUPPORTIVE SERVICES

The services of approved school psychologists or certified clinical psychologists shall be available to programs as a condition for program approval. School or clinical social workers and other supportive personnel shall also be available. (See SCHOOL PSYCHOLOGY and SCHOOL SOCIAL WORK sections)

Non-school therapeutic and consultative services often may be necessary to supplement the educational program provided by the local school district. Community resources, with capabilities for helping individual children and their family groups, include Social and Rehabilitative Services Offices, local mental health centers, and guidance clinics. These and other private or public agencies can serve to enhance the total program for children with adjustment problems.

It is the responsibility of local education agencies to provide and promote programs which enhance positive mental health attitudes in both students and employees. Only through active programs in this area can the real problem of personal and social maladjustment ever hope to be diminished in the educational system. Every effort should be made to create a positive attitude among staff within the educational setting through allied specialists, materials, and techniques.

In-Service

An essential component of personal and social adjustment programs is that of in-service for the school personnel. In order for this program to meet program objectives for students, administrators, and the teaching staff must become aware of the unique needs of students identified as having adjustment problems. The most successful programs operate where administrators are aware of those needs and will lend support and where the building staff is cooperative in meeting the total needs of the exceptional student. The positive attitude of the building staff toward the student with adjustment problems is of key importance in returning him/her to the regular school program and requires a total team effort.

APPROVABLE DELIVERY MODELS

The following program variations are designed to provide an administrative framework for a continuum of instructional services in order that a variety of educational and treatment services may be available to children with personal and social problems. Since these students may need varying degrees of support throughout the course of their adjustment, a variety of organizational options shall be included within the administrative structure. It is important that the placement committee carefully consider all program alternatives and, following the least restrictive alternative concept, recommend placement in that organizational environment that is consistent with the total educational needs of the student. See LEAST RESTRICTIVE ALTERNATIVES section for general definitions of the available administrative variations. Specific requirements for this program area are cited below. The itinerant teacher plan will not be approved in the personal and social adjustment program area.

Consulting Teacher

The consulting teacher who works primarily with teachers rather than with students must be fully approved in the area of personal and social adjustment.

Resource Room

This program variation serves those children who must leave the regular classroom for limited periods of time, because they need additional assistance or structure for part of each day. Children attending a resource room maintain their identification with the regular classroom in which they are enrolled. It is necessary for the resource room teacher to work closely with the regular classroom teacher so that regular curriculum materials with appropriate modifications may be used and regular assignments maintained.

The Self-Contained Special Classroom

There are some students who manifest inappropriate behaviors to an extent that they require assignments to a self-contained classroom with limited enrollment. The self-contained personal and social adjustment classroom functions on a full day basis. Enrollees are identified with the special program rather than with a regular classroom. Students are accepted into the special class on an individual basis for an indefinite period of time with the ultimate goal of returning to the regular school program and mainstream of activities as soon as possible.

The major purpose of a special classroom is to provide students with systematic, individualized instructional experiences. This learning environment provides pupils with the opportunity to experience success in standard academic and social situations. As a pupil acquires competencies in meeting expectations associated with a responsive learning environment based on individual pupil progress, provisions for small group learning experiences and projects may be implemented within the classroom. While academic achievement or task completion is stressed, this should occur concurrently with an emphasis on student acquisition of interpersonal relationship competencies with peers and adults.

Reintegration into selected regular classes or activities should be initiated as soon as a student is able to cope and function successfully in the special classroom. During the process of reintegration, it is imperative that the teacher of the personal and social adjustment classroom maintain continuous liaison with the regular classroom teacher. All available supportive services, such as a resource room, school psychologist, and/or school social worker, should be used at all times.

Home and Hospital Services

In order to clarify the situations in which a student can qualify for homebound and/or hospital instruction, refer to the LEAST RESTRICTIVE ALTERNATIVES section. For the student within the personal and social adjustment program, the special education teacher providing these instructional services shall be certified in the personal and social adjustment area.

Applications for part-time homebound instruction for students with social and personal adjustment problems shall be accompanied by a psychological and/or psychiatric evaluation. The local education agency shall also send to the Special Education Administration Section a statement indicating plans for meeting the student's educational needs after the transitory homebound instructional period has been terminated. Students with these adjustment problems shall not remain on homebound instruction for more than two months.

Residential Center Programs

An educational program is an integral part of the total residential treatment program. All educational and related service staff shall be involved in the development, implementation, and monitoring of the IEP for each student. All educational programs shall meet standards established and approved by the State Board of Education.

Since one of the important goals of the residential center program for children with personal and social adjustment problems is to return them to the public school setting as soon as possible, it is important that the educational experiences within a residential program be oriented to community tolerance. Residential centers and local education agencies should cooperate in providing instructional services. By working together, residential centers and local districts can increase the range of program variations available to their students. Close cooperation between local education agencies and residential center programs is imperative if effective integration and reintegration into programs is to take place. Each agency involved in programming for a student should have a liaison person assigned to work between agencies. Only through close communication between agencies can programs and services for students with personal and social adjustment problems be effective. Before any program change is made for a student, the liaison person shall acquaint the receiving agency with the student, see that the student is placed in the least restrictive environment suitable, and assist in formulating an educational plan for that student.

CLASS SIZE AND CASELOAD

Consulting Teachers

The consulting teacher's role is supportive in nature. It involves needs assessment and initial program planning. The teachers of students who are mildly involved with personal and social adjustment problems need some back-up services in their regular classroom settings. Therefore, there is no caseload, as such, for a consulting teacher. No more than one-fourth of the consultant's time shall be spent with students. The majority of consultant time shall remain free to confer with teachers and to plan for educational services needed by the student with personal and social problems.

Resource Room

Because of the nature of the resource room, there may be daily or weekly changes in attendance. The maximum number of students in attendance of any one time shall be eight, although up to fourteen students may be enrolled in the program at any time. Students assigned to the resource room must be carefully screened to prevent placement of mildly handicapped children who are better served in a less restrictive environment by a regular teacher with the support of a personal and social adjustment consulting teacher and other supportive personnel.

Self-Contained

Self-contained special classes in either local education agency or residential settings for students with personal and social adjustment problems shall contain no more than eight students. The maximum chronological age span shall be three years. Any departure from these standards must be approved by the Special Education Administration Section prior to the implementation of services.

Summary

Program Level	Delivery Models	Maximum Caseload
All levels	Consulting teacher	Not applicable No more than 1/4 time to be spent with students
	Resource Room	8 at any one time
	Self-contained	8 — could be increased to 10 with paraprofessional

5. PHYSICALLY AND OTHER HEALTH IMPAIRED

DEFINITION

Physically and other health impaired individuals are those with physical or orthopedic conditions which necessitate special education and/or supportive services. These conditions include, but are not limited to, cerebral palsy, spina bifida, convulsive disorders, multiple sclerosis, musculoskeletal conditions, congenital malformations, and major health conditions, such as cancer, diabetes, mononucleosis, kidney disease, asthma, and cystic fibrosis.

Most physically and other health impaired students should be in regular classrooms with supportive special services while some individuals will require itinerant, resource, or home and hospital instructional special education programs.

STUDENT ASSESSMENT

In addition to the assessments required in the SCREENING, EVALUATION, PLACEMENT AND REVIEW section, evaluations and prescriptions by therapists, physicians, surgeons, and other qualified professional persons should be submitted with recommendations for educational programming to the local cooperative placement committee.

PROGRAM PLACEMENT

Placement in a special education program or service shall be based on the handicapping condition which most directly influences the educational performance of the student. Placement shall not be made solely on the basis of physical or orthopedic impairments. If there are not significant learning problems, physically and other health impaired students should be placed in a regular classroom with appropriate supportive services, for example, transportation, paraprofessional, and therapies.

PROGRAM ALTERNATIVES

Programs for the physically and other health impaired should be implemented along a continuum of administrative designs ranging from the regular classroom to residential settings. The severity of the physical handicap(s) and concomitant deficit(s) will determine the type of program for appropriate placement of the individual. Transfer of the individual from one program design to another may be appropriate as progress is made both physically and academically.

The least restrictive program structures for the physically and other health impaired are given below on a continuum from regular classroom to home or hospital instruction. Local education agency personnel responsible for special programming will want to evaluate, and choose program models that will accommodate the needs of the individuals. These program models may be implemented in the form presented, modified to meet local needs, combined, or used in conjunction with appropriate original designs.

(1) Regular classroom with supportive services,
(2) Itinerant and/or consulting teacher services,
(3) Regular and special classroom combination,
(4) Special classroom-resource,
(5) Special day schools,
(6) Residential settings, and
(7) Home or hospital instruction.

PROGRAM MANAGEMENT

Within any program setting there will be ranges of age, physical disabilities, academic levels, and mental abilities. Therefore, the construction of an academic program must be highly individualized and tailored to the specific needs and abilities of the learners. This type of individualized instruction will demand a wide variety of educational materials, audiovisual aids, equipment, and media. The instructor's own expertise must supplement and adapt to special needs and occasions. It is expected that the general educational curriculum will be utilized to the greatest extent possible. Special curricula shall be implemented if required by the learning characteristics of the individual.

When special classes are organized for physically and other health impaired learners, the age range should be kept as narrow as possible. Acceptable groupings would be preschool (chronological age 0-4), primary (C.A. 5-8), intermediate (C.A. 9-12), junior high (C.A. 13-15), and high school (C.A. 16-21). Combinations of these groups in local education agencies where only a small number of physically and other health impaired children are served in special class programs shall be approved by the Special Education Administration Section, Kansas State Department of Education.

SUPPORT SERVICES

Programs for the physically and other health impaired require the specialized services of supportive personnel which facilitate the physical and educational progress of the students. The following supportive services shall be provided if indicated in the Individual Education Program of the student.

(1) School psychology, guidance, and counseling. These services may provide assistance in evaluation, curriculum design, job placement, etc.

(2) Social work. This service is often necessary for flow of information, appropriate contact, and coordination of program components between school, family, and community.

(3) Clinicians and therapists. These services may include speech, language, occupational, art, music, and recreational therapy.

(4) Medical specialists. These services include physicians, surgeons, nurses, and other medical technologists who may provide diagnostic consultation as needed.

It is essential that supportive personnel function as a team in the planning and delivery of these services. Coordination by school administrators must ensure the effectiveness of such close association and cooperation.

FACILITIES

Program settings for the physically and other health impaired should be as close to the educational mainstream as possible. In *least restrictive* placements, school districts, and public and private agencies must give attention to details which will maintain individuals in learning environments approximating the normal environment.

Assessment of existing physical facilities must be made in light of the population to be served. In some instances, minor adaptations will bring facilities up to approvable standards. In others, extensive renovation will be necessary to remove barriers and environmental restrictions. Primary consideration must be given but not limited to the following:

(1) Ramps,
(2) Restrooms,
(3) Entrances,
(4) Elevators,
(5) Light switches,
(6) Wash basins,
(7) Towel dispensers,

(8) Mirrors,
(9) Non-slip surfaces, and
(10) Special classroom furniture and equipment.

PARAPROFESSIONALS

The role of paraprofessionals in this program area is to assist teachers and other program specialists in implementing individualized educational programs and in attending to special physical needs of students. Local education agencies are encouraged to employ *at least* one paraprofessional in each self-contained or resource classroom. Paraprofessionals shall be under the supervision of the certified special education professional and shall be evaluated periodically for performance and competency. (See PARAPROFESSIONALS IN SPECIAL EDUCATION section.)

PERSONNEL FOR HOME AND HOSPITAL PROGRAMS

Students who require home or hospital instruction should receive the service from qualified teachers in appropriate academic areas and for the length of time necessary. Districts may employ appropriately certified special education personnel. They may utilize approved personnel for home or hospital instruction on an hourly or full-time basis. Hourly employed personnel must hold a valid Kansas teaching certificate and must only give instruction in the subject area(s) and level(s) for which they are certified. The local education agency can utilize any regular or special class teacher who meets qualifications and can provide the educational instruction needed.

Because it is impossible for a district to know in advance exactly how many students may require home or hospital services because of health problems, prior approval shall be given on estimated needs. The approximate number of instructional hours for which a district will claim reimbursement must be translated into full-time teacher equivalencies and entered as tenths of a full-time teaching equivalency. (See LEAST RESTRICTIVE ALTERNATIVES, REIMBURSEMENT AND FINANCES, and STATE APPROVAL OF SPECIAL EDUCATION PROGRAMS sections.)

6. SEVERELY MULTIPLY HANDICAPPED/DEAF-BLIND

DEFINITION

The severely multiply handicapped shall demonstrate severe/profound functional retardation in addition to severe sensory and/or motor disabilities, severe emotional disturbance, chronic health conditions, or severe communication disorders. The following characteristics are frequently associated with this low-incidence population: severe motor involvement; absence of feeding, dressing, grooming, and/or toileting skills; failure to imitate simple actions of others, follow simple directions, communicate, guard against common physical dangers, or interact appropriately with the physical or social environment; and may exhibit stereotype and/or self-injurious behaviors. These characteristics prohibit or severely limit successful progress in a special program designed to accommodate a single major handicap.

The term *deaf-blind* refers to students who have auditory and visual impairments, the combination of which causes such severe communication and other developmental and educational problems that they cannot properly be accommodated in special education programs solely for the hearing handicapped child or for the visually handicapped child. Although the deaf-blind have many of the same learning characteristics and needs as the severely multiply handicapped, they may not always be functionally severely or profoundly retarded.

Even though the children and youth in a severely multiply handicapped program shall demonstrate severe/profound functional retardation, this particular handicap may not be the primary target for educational programming. The severe/profound functional retardation could be a function of some other major handicap(s) which should be the focus for educational activities. Educational programs should be based on the learner's needs with special consideration given to basic self-help and survival training, motor, social, communication, preacademic, and prevocational/vocational training.

INTRODUCTORY STATEMENT

Need and Rationale

Until recently, severely multiply handicapped children and youth were generally excluded from educational services within the public school system. If programs were provided, they were usually in special schools, state institutions, or private agencies. With the passage of P.L. 94-142, requiring free, appropriate educational services to all children and youth, the severely multiply handicapped are being served in increasing numbers by local education agencies.

Although the deaf-blind are now included in the definition of severely multiply handicapped, they had been treated as a separate exceptional grouping because of federal funding patterns providing certain regional and state services specifically for children whose severe multiple handicaps included deafness and blindness. These funds accelerated program development in the area of deaf-blind and provided many services.

Severely multiply handicapped children and youth constitute a low-incidence population, which, because of multiple and complex handicapping conditions, require specific, comprehensive programming. These students require highly trained personnel to provide individual attention and instruction through the use of specialized materials and curricula designed to meet their individual needs. In addition, these students may need barrier free facilities and adapted transportation.

Kansas Authority and Mandate

K.S.A. 72-933 and 72-961 through 72-982, inclusive, known as the Special Education for Exceptional Children Act, states: *It is the purpose and intention of this act to provide for educational opportunities which will contribute to the development of each exceptional child...in accord with his abilities and capacities.* Therefore, children and youth defined as severely multiply handicapped in the state of Kansas shall be granted full educational opportunities.

PUPIL ASSESSMENT AND PLACEMENT

Assessment

It should be emphasized that many severely multiply handicapped children and youth cannot be accurately assessed by traditional evaluation and testing techniques. Sometimes one impairment, such as cerebral palsy, deafness, or blindness, may be so dominant that other disabilities are difficult to assess and are ignored or undetermined. The following procedures for assessing severely multiply handicapped students supplement the ones enumerated in the SCREENING, EVALUATION, PLACEMENT, AND REVIEW PROCEDURES section.

A multidisciplinary team shall conduct a systematic in-depth appraisal of each student including the following assessments:

(1) Screening tests to determine any loss of hearing and vision,
(2) Tests which measure gross-and fine-motor development,
(3) Scales of social development,
(4) Assessment of receptive and expressive language development,
(5) A behavioral assessment, and
(6) Appropriate adaptive developmental scales.

When necessary, additional specialized assessments (for example, tests by medical personnel, physical or occupational therapists, opthalmologists, etc.) shall be sought to assist in the educational program planning.

The frequency of administering assessments shall be in accordance with the timelines established in the SCREENING, EVALUATION, PLACEMENT, AND REVIEW PROCEDURES section.

Placement

Through a thorough assessment procedure, those students identified as having severe multiple handicaps shall have an individualized educational program designed to meet their specific needs. A statewide Deaf-Blind Advisory Committee, appointed by the Director of the Special Education Administration Section, is available to provide counsel in statewide placement and programming for those severely multiply handicapped who are also deaf-blind. Students shall not be placed for educational purposes on the basis of their *one* most severe disability, but on their unique learning characteristics and instructional needs. Placement should be done very carefully and in accordance with a strict adherence to the definition of the severely multiply handicapped. After work with the student has occurred for a period of time in the program and additional diagnostic assessments conclude that the student can profit from an alternative placement, he/she should be moved to that program as soon as possible.

EDUCATIONAL PROGRAM GOALS AND CURRICULUM

Educational Program Goal

The goal of the educational program is to enable the severely multiply handicapped children and youth to become as independent as possible. The following objectives are designed to fulfill the program goal, but should not be interpreted as all inclusive.

(1) Encourage positive behavioral changes in:
    (a) Socialization,
    (b) Daily living skills,
    (c) Motor development,
    (d) Perceptual abilities,
    (e) Communication,
    (f) Academic performance, and
    (g) Prevocational and vocational skills.

(2) Promote the development of residual sensory and motor abilities.

(3) Assist parents in understanding the need for program carry-over outside of class, thus involving parents in home training and other such activities.

(4) Develop within the individual the skills and resources to maximize his/her level of functioning, facilitating placement in progressively less restrictive environments.

(5) Enhance generalization of skills across situations and people.

Curriculum

In working toward adequate curriculum objectives, the teacher needs to consider many aspects. The educational program must be directed at developing skills in self-help, motor, communication, social, preacademic, prevocational and vocational areas. The program should be highly structured and the environmental stimuli carefully controlled. The curriculum shall include implementation techniques as follows:

(1) Instructional appraisal,

(2) A sequence of instruction, and

(3) Continuous systematic evaluation of student progress.

The sequence of instruction shall emphasize experiences that are arranged in a clear and logical order, and these experiences should be based upon the readiness level of the student. It will be necessary to break down the educational tasks into small manageable steps. In establishing instructional objectives, teachers shall take into consideration the following:

(1) Prerequisite skills;

(2) Task analysis;

(3) Educational materials and equipment;

(4) A schedule designed to keep motivation and response rate at an optimal level;

(5) A data feedback system for accurately charting progress;

(6) Procedures of instruction, such as presentation of materials, reinforcement, prompts, etc.; and

(7) Provision for transfer, generalization, or recycling through alternate instructional objectives.

Ancillary Services

Severely multiply handicapped students have multiple needs requiring additional ancillary services integrated into the total classroom program. If the individualized educational program of the student determines unique needs, these shall be met by one or more ancillary services. These services shall be provided on a consultative and/or direct service basis depending on each student's educational needs.

ADMINISTRATIVE STRUCTURES

The Special Education Administration Section, Kansas State Department of Education, shall be responsible for coordination, supervision, and evaluation of special education programs for severely multiply handicapped children and youth. Through this effort, a statewide program for educational services in private, institutional, and public facilities will utilize professionally trained personnel and encourage optimal educational planning and programming.

Types of Programs

Residential or Special Purpose Programs

The education programs at the state institutions and private facilities shall be monitored and supervised by the Kansas State Department of Education. These state and private settings shall meet the educational standards established by the State Board of Education.

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Local Education Agency Programs

Several models may be used in planning for programs in the local education agencies. These models are as follows:

(1) Self-contained classroom;
(2) Team-teaching programs, the skills and competencies of teachers, and paraprofessionals should complement each other; and
(3) Home or hospital instruction (Long or short-term service will depend upon the student's physical needs).

(For explanations of these programs, see LEAST RESTRICTIVE ALTERNATIVES section.) The model selected should depend upon the student to be served as well as the goals and objectives of his/her educational program. In many circumstances, more than one model may be desirable to provide optimal educational services.

Infant and Preschool Programs

The severely multiply handicapped child needs an individually designed program at the infant and preschool level. The early identification, diagnosis, and treatment of severely multiply handicapped children is essential for full development. Studies have shown significant gains for these infants and preschoolers enrolled in education programs over those children whose formal training was delayed. It is strongly recommended that infant and preschool programs for severely multiply handicapped children be established. Local day care centers could be considered as a possible delivery system for such programs.

Caseload and Pupil Staff Ratio

Each severely multiply handicapped program shall have at least one full-time approved special education teacher. Each approved special education teacher in a program — public, private, or institution — shall have a maximum of eight students assigned to her/him. Pupil/staff ratios shall be as follows:

Number(s) of Students	Teacher	Paraprofessionals
1	1	0
2-4	1	1
5-8	1	2

The number of paraprofessionals in each program should depend upon the handicapping conditions of the students and their special educational needs. There shall be no more than three full-time or three part-time paraprofessionals assigned to each professional without special approval from the Special Education Administration Section, Kansas State Department of Education.

Equipment and Instructional Materials

Equipment and instructional materials should be appropriate for group and individual needs and sufficient to meet the requirements of the educational program. The equipment and materials should be utilized efficiently and kept up-to-date to meet changing populations of students.

Funding

Federal, state, and local funds are used to support the programming for severely multiply handicapped students in Kansas. Specific funds for Deaf-Blind programs are received through grants from the Mountain Plains Regional Center for Services to Deaf-Blind Children in Denver, Colorado P.L. 91-230 Title VI, Part C - Centers and Services, and K.S.A. 72-853.

7. SPECIFIC LEARNING DISABILITIES

DEFINITION

Kansas has adopted the definition of specific learning disabilities as proposed by the U.S. Office of Education and incorporated into The Developmental Disabilities Rules and Regulations of 1969 and in the definitions section of the general regulations document for P.L. 94-142.

Legal Definition:
Children with specific learning disabilities exhibit a disorder in one or more of the basic psychological processes involved in understanding or in using spoken or written language. Such disorders may be manifested in imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations. They include conditions which have been referred to as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. They do not include learning problems which are due primarily to visual, hearing, or motor handicaps; mental retardation; emotional disturbance; or environmental, cultural, or economic disadvantage.

Operational Definition:
The legal definition is clarified by the operational definition through the delineation of three concepts: intactness, discrepancy, and deviation.

(1) Learning disabled children are primarily intact children. They are not primarily visually impaired, hearing impaired, environmentally disadvantaged, mentally retarded or emotionally disturbed. In spite of the fact that these children have adequate intelligence, adequate sensory processes, and adequate emotional stability, they do not learn without special assistance.

(2) Learning disabled children show wide discrepancies or intra-individual differences in a profile of their development. This is often shown by marked discrepancies in one or more of the specific areas of academic learning or a serious lack of language development or language facility. These disabilities may affect his/her behavior in such areas as thinking, conceptualization, memory, language, perception, reading, writing, spelling, or arithmetic.

(3) The concept of deviation of the learning disabled child implies that he/she deviates so markedly from the norm of his/her group as to require specialized instruction. Such specialized instruction required for learning disabled children may be of value to other children. However, the population to be served with special education funds authorized for learning disabled children does not include children with learning problems, which are the result of poor instruction or economic or cultural deprivation, unless these children also have been identified as *specific learning disabled.*

INTRODUCTORY STATEMENT

In 1969, legislation was passed requiring the development of special education programs for children who were mentally retarded and setting the date for full implementation as July 1, 1974. In 1972, that mandate was amended with no change in the implementation date, to include additional groups of special education children under the definition of Developmentally Disabled. Rules and regulations adopted as required by the Developmental Disabilities Mandate (K.S.A. 72-933) includes the area of Specific Learning Disabilities. Since this mandate for the Developmentally Disabled was not affected by passage of the Education of Exceptional Children Act, the implementation date, 1974, remains unchanged.

Special education programs for children, described as learning disabled, have developed because it became apparent that traditional special education programs for children with sensory loss or physical or mental handicaps were not meeting the educational needs of a considerable number of children. Although these children are not hearing impaired, they may have difficulty understanding and responding to language; they are not mentally retarded, yet they often do not achieve under regular instruction; they are not visually impaired, but they may not perceive as do normal children.

IDENTIFICATION AND EVALUATION

In the identification and evaluation process of any student suspected of having a learning disability, the regular classroom teacher shall share in the responsibility of that process by participating as a member of the multidisciplinary team. For instances in which a student, for some reason, has not been assigned to a regular education class, a teacher of that student's age group will serve as a member of the team. The addition of the classroom teacher to the evaluation team is in compliance with the Title 45, Code of Federal Regulations, Part 121A540.

Screening

For purposes of early identification of children with high-risk learning problems, screening procedures (see SCREENING, EVALUATION, PLACEMENT, AND REVIEW section) are most successfully used in preschool programs and in kindergartens. When preschool and kindergarten age children are identified as having possible learning problems, intensive training in readiness activities within small groups, using special techniques and materials, often provides the student with the necessary skills to be maintained in the regular classroom. In some instances, this procedure helps to further identify children for the developmental classroom.

A comprehensive evaluation is necessary to identify specific learning disabilities in children. Suggested methods for use in the identification process are the following:

(1) Probability factor
Baysian, which includes the process of decision-making by generating a probability, using component disabilities most likely to be seen in learning disabled children;

(2) Discrepancy ratio
A discrepancy between expected performance and present performance which is expressed in a ratio; and

(3) Clinical teaching.

If there are questions concerning any of the above techniques, contact the Special Education Administration Section for assistance.

Comprehensive Evaluation

A comprehensive evaluation of a child referred with possible learning disabilities shall include the following components:

(1) Is the child intact to the point that his educational program will not be primarily influenced by another handicap?

Hearing and vision screening and, if indicated, further diagnostic and/or medical evaluations shall be utilized to determine if there are sensory impairments or physical health factors which are severe enough to be considered a primary handicap.

A non-discriminatory evaluation of the child's intellectual functioning or potential shall be conducted. The learning disabled child has the potential for at least average functioning. He/she can be expected, as an adult, to be able to function socially and vocationally on an independent level.

Learning disabled children often show behavior problems, poor impulse control, poor peer relationships, and obvious frustration in the educational climate in which they are having difficulty. However, these types of responses can generally be differentiated from severe maladaptive behavior by an appropriate psychological examination.

(2) Is the discrepancy between potential and achievement of a sufficient difference to be considered disabling?

The use of a ratio for quantifying the discrepancy between potential and actual achievement is preferable to the use of a fixed figure. In using the ratio, it should be noted that a few months lag early in a child's schooling may be as significant as two or more years lag when that child is at the secondary level.

(3) Do the discrepancies or deficits appear to be specific rather than generalized?

The handicapped child with specific learning disabilities differs from the mentally retarded child in that the problem is not one of general difficulty in learning, but the problem is related to specific deficits. There seems to be a deficit in one or more of the processes of reception, integration, or expression. Those processes not affected allow the child to function in certain areas at a normal or above normal level.

(4) Does the child deviate so markedly from the norm of his/her group as to require special education intervention?

Where economic deprivation or other conditions have caused a general lowering of the academic level of functioning, groups of children in these areas should not be identified as learning disabled. It is possible, however, that some children in these groups may have a specific learning disability and would need services within a learning disability program.

All requirements outlined in the SCREENING, EVALUATION, PLACEMENT, AND REVIEW section shall be followed when children are being considered for learning disability placement. Some additional considerations for learning disabilities are the following:

(1) A neurological and/or medical examination is not required for placement in learning disability programs. However, the evaluation team may deem a medical examination critical as part of the comprehensive evaluation of the student.

(2) Where a learning disability is suspected, an approved learning disabilities teacher shall be included on the multidisciplinary team as described on page 68, *#2*. In addition, the child's regular teacher or regular teacher qualified to teach a child of that age shall be included on the evaluation team. Teachers in training in the public school (in an approved learning disability practicum setting) may participate in these activities. However, all evaluation conducted by the teacher in training will be reviewed and signed by the supervising learning disability teacher. The supervising teacher will be responsible for special education programming decisions based upon such data.

EDUCATIONAL PROGRAMMING

In providing educational programs for students with learning disabilities, an important consideration is the range of variability. The learning disability may be to such an extent that it disables the student in all academic areas or severely in one area. The disability may be a mildly handicapping one, affecting the student in such a way that he/she can be taught methods of compensation to use in the regular classroom setting. The need for a self-contained classroom, a resource room, or itinerant services shall be based upon the variability of severity of the learning disabilities.

The education of learning disabled students should be looked upon as a team effort. An understanding of the strengths and weaknesses of the child requires the evaluation and program planning efforts of not only the learning disabilities teacher, but the regular classroom teacher, school psychologist, speech clinician, principal, and others involved with the student. As with all exceptional students, cooperation and coordination with the student's home is essential to a successful program.

The curriculum of learning disability programs (the skills and knowledge to be acquired) is, in general, the same as that in the regular classroom. However, it is not simply a *slower* approach, but instead utilizes supplementary materials, and specific methods and techniques to help the learning disabled child take advantage of his/her learning strengths and overcome his/her learning weaknesses.

Individualized instruction based on diagnostic-prescriptive techniques is essential. A variety of instructional materials and equipment must be available to allow the teacher to adjust activities to the needs of the child. Supplementary reading materials over a wide grade span, auditory tapes and filmstrips, educational games, flash cards, language development materials, concrete math materials, color and shape discrimination blocks, and pegboards are examples of the variety of supplies needed in the elementary level learning disability program. The supplementary reading materials, tapes, tape recorders, filmstrips, and other media would also be appropriate and needed at the secondary level.

The teacher of learning disabled students shall be skilled in educational evaluation, task analysis, and individualized instruction. In addition, however, he/she must be an individual who relates well to other teaching staff and parents. Much of the success of programming for the learning disabled student rests on the cooperative planning and team effort of the regular classroom teacher and the special education teacher.

The individualized education program shall include other goals in addition to those in the academic area. Attention should be given to social relationships, positive attitudes toward learning, and skills which will allow the student to take part successfully in activities outside the classroom. An example might be the development of good motor coordination where skills in walking, dancing or ball playing will enhance self-concept and acceptance of the exceptional child by his/her peers. In general, responsibility for the supplementary activities such as the physical education activities, shall be assigned to persons other than the learning disability teacher who is responsible for the academic program. In meeting the motor coordination needs of the student, assistance may be required of the physical education teacher in planning and implementing the individualized education program. This involves team effort and staff cooperation.

Secondary Level Considerations

In the total learning disabilities program (K-12), there shall exist a continuity in the changes from elementary to junior high to the high school level. One level shall build toward the next. Because of the nature of secondary level (junior high and senior high) educational programs in general, it is necessary to change the structure of the learning disability program to meet the needs of the individual student in that age bracket.

The following components should be considered for an appropriate curriculum, but they are not exclusive to the learning disabilities area nor is any one of them to be considered a total program in itself.

Instructional program components are as follows:

(1) Functional competencies/survival skills;
This approach is aimed at equipping students to function independently outside of the school setting and to meet various societal demands of day-to-day living. This would include such basic skills as check writing, basic English (reading signs and simple directions), filling out forms, reading want-ads, balancing checkbook, etc.

(2) Compensatory skills/by-pass method using media;
Emphasis is on altering the presentation and assessment of content to accommodate the individual learning styles of the student when traditional methods have proven ineffective. This will necessitate the school system becoming flexible in matters of schedule changes, arranging for textbooks to be taped, re-designing essay tests, and providing alternate ways of study and test-taking.

(3) Basic skills instruction;
Basic skills instruction is designed to increase student performance in the various areas of language arts (reading, writing, spelling, listening, speaking) and math skills.

(4) Job related skills/vocational education and career education;
Instruction in this area shall combine knowledge of and performance in career exploration and specific job entry skills and experience.

(5) **Learning strategies/coping skills;**
This component is designed to equip students with techniques, principles, or rules which facilitate their ability to acquire, work with, integrate, remember, and recall information. These strategies are content-free and are designed to aid the student in meeting school and life demands.

Improvement in any of the above components shall be reflected by growth in performance. Such growth shall be consistent with goals and short-term objectives developed by the person or persons responsible for the implementation and/or review of the IEP. Because of the nature of these components, as well as the schedule format of secondary schools, the resource room delivery model is optimal at this level, except in instances of the severely learning disabled.

At the secondary level there will be situations in which a learning disabled student needs tutoring. Depending upon the circumstances, this shall be done; but in so doing, district personnel shall realize that tutoring is not a program component, but merely a program adjunct. Likewise, the remediation of basic skills shall not be a learning disabled student's total program, but rather it shall be included with other components suited to meet the needs as set forth in that student's IEP.

At all times, the strengths of the student shall be maximized through their integration within the total instructional effort. Many learning disabled adolescents experience severe difficulties in personal-social adjustment, for example, poor self-concept, social immaturity, and poor social perception. Therefore, all program options shall carefully consider these needs in programming. Within each instructional component, emphasis shall be given to self-acceptance, realistic goal setting, and the teaching of necessary skills for positive social interaction.

Final program decisions shall be based on the individual needs of the student as specified in the IEP. Because secondary learning disabilities programs are relatively new and teacher training is in the formulative stage, the learning disabilities teacher will need to coordinate efforts with regular classroom teachers in order to meet the total needs of the student as set forth in the IEP; that is, vocational and/or career education goals of the IEP will need to be carried out by personnel trained in those areas. Programming for junior high school students closely parallels that of the senior high level. Although adjustments may be needed to adapt the secondary program components to the junior high school age student, the departmentalized program of the junior high requires the same type of system changes and recognition of social and psychological problems as at the senior high level. The vocational component would be replaced by a prevocational type of program at this level.

ADMINISTRATIVE STRUCTURES

In the learning disability area, variations in program structure are encouraged in order that districts may implement programs which are adjusted to the learner and to local needs. Learning disability children vary from mildly to severely handicapped and will require variations in the type of services they receive. The child should be able to move in either direction to more intensive or less intensive services as needed. (See SCREENING, EVALUATION, PLACEMENT, AND REVIEW section and LEAST RESTRICTIVE ALTERNATIVES section.)

Consulting Teacher

At the level of least intensive services, the consulting teacher may service children and their teachers on a non-categorical basis. Prior to implementation of this administrative structure, approval must be obtained from the Special Education Section. For additional information on the consulting teacher role, see LEAST RESTRICTIVE ALTERNATIVES and SCREENING, EVALUATION, PLACEMENT, AND REVIEW sections.

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Itinerant Teacher

The itinerant teacher serves the more mildly handicapped learning disabled child or those children who are returning to the regular classroom after a period of time in an intensive program. The limitations imposed by itinerant scheduling do not usually allow sufficient time for work with children who need intensive assistance.

The itinerant learning disability teacher may be scheduled to serve in two or more schools. Caution should be used, however, to ensure the most efficient use of the teacher's time. Excessive travel time or scheduling which does not allow enough time for coordination with the regular classroom teacher may reduce the effectiveness of the program. Utilization of one teacher to serve both elementary and secondary level learning disabled students is discouraged. This is due to the complexity of the needs at the secondary level and to the differences in the type of services required at the two levels.

The itinerant teacher works with students on an individual or small group basis. He/she will assist in the educational evaluation of the learning deficits and will initiate activities appropriate to the child's level of functioning. As assistance is provided to the child, the learning disability teacher will meet with the regular teacher to provide understanding of the learning problems. He/she will assist the teacher in using supplementary materials or adjusting classroom assignments to the student's progress.

As the child is able to function more independently, or as the regular classroom teacher becomes proficient in meeting the child's individual needs, the learning disability teacher will withdraw from the contact. The child's name should be placed on an inactive caseload list at that time, but the learning disability teacher will continue to check on the child's progress at regular intervals until it has been documented that the child is progressing satisfactorily. If further problems develop, the child will be returned to the active caseload.

Resource Room

The resource room teacher will serve in one or possibly two attendance centers. He/she will be assigned to a classroom in those centers.

Learning disabled children enrolled in regular classrooms will come to the resource room for individual or small group help. The length of time the children are scheduled into the resource room will vary according to their individual needs. Resource room schedules, however, shall not be set up so that groups of children rotate in and out of the room on the basis of regularly scheduled short periods, for example, every twenty to thirty minutes. In addition, any child who needs assistance more than three hours per day should be considered for self-contained special classroom placement.

The resource room teacher will work closely with the regular classroom teacher to keep him/her informed of the progress of the child, to coordinate classroom and resource room assignments, and to assist the classroom teacher in the use of new materials and techniques. Time for such coordination activities shall be included in the resource teacher's schedule.

Self-Contained Special Classroom

In this model the learner is assigned to a special class. At times children with severe learning disabilities and associated behavior problems may need the structure of a self-contained classroom with a full-time teacher trained to work with such educational problems. However, whenever the child can function in the regular program, he/she should be given that opportunity.

Integration into the regular classroom should be carefully planned so that both the child and the teacher to whom he is returning are comfortable with the change and able to request help if any difficulties develop. The special classroom teacher will need to coordinate assignments with those of the regular teacher and to assist him/her in understanding the problems which may occasionally reappear. During the reintegration phase, the special classroom will serve as a resource room for the child.

Approval of a special classroom at the secondary level may be obtained only for the *integrated classroom* model. (See LEAST RESTRICTIVE ALTERNATIVES section)

Developmental Classroom

The developmental classroom is a variation of the self-contained classroom. It is designed for children who appear to have moderate to severe learning deficits, but the objective is to prevent, or at least lessen, the learning problem by initiating a program at the kindergarten or first grade level before the child begins to suffer from failure.

Generally, the developmental classroom is ungraded. The children move through the class at the rate at which they can succeed. At any time, as they are able, they may enter the program in the regular classroom. It is to be expected that some children will require four years to complete the three-year primary program.

CLASS SIZE AND CASELOAD

Maximum numbers of children to be served are established to assist schools in maintaining quality control of programs and to ensure cost-effectiveness. However, it is essential that districts/cooperatives carefully evaluate the number of children in each program on an individual program basis. The following shall be considered as requiring a lower pupil-teacher ratio.

(1) Programs serving several children who are severely handicapped or who have serious behavior problems.

(2) Programs in a school where socio-economic conditions increase pupil and family problems.

Consulting Teacher Model

Caseload for this type of program is not applicable. No more than one-third of the teaching time is to be scheduled with children. Approval of consulting teacher programs is on an individual basis. (See LEAST RESTRICTIVE ALTERNATIVES section)

Itinerant Teacher Model

The itinerant teacher may be scheduled to serve his/her caseload within no more than five attendance centers when the school district offers a continuum of learning disability services and the itinerant teacher is working with the mildly handicapped population. Where the continuum of services has not yet been provided and the itinerant teacher is attempting to meet the needs of all learning disabled children within the district/cooperative, his/her scheduling shall not exceed three attendance centers.

The itinerant teacher shall serve no more than eighteen on an active caseload. Where paraprofessionals are assigned to assist the itinerant teacher, two additional students may be added for each full-time paraprofessional to a maximum of six additional students. It is recommended, however, that the enrollment be maintained at or near eighteen to twenty students as the need for immediate openings in the program may arise during the school year.

Resource Room Model

The resource room teacher may have a maximum of eighteen students on an active caseload. These students shall be scheduled into the resource room on the basis of the child's individual needs and instruction shall be on a small group basis or if necessary on an individual basis. No more than ten students per teacher with no more than a four year age span shall be scheduled into the resource room at one time. Due to the distractable nature of some learning disabled children and the noise level which increases with varied group activities, a maximum of two paraprofessionals may be added to a resource room program. Two additional students may be added to the caseload for each full-time paraprofessional to a maximum of four additional students.

Self-Contained Classroom Model

The maximum class size for self-contained programs for learning disabled students at all levels is ten. The chronological age span of the students shall not exceed four years. Due to the severity of the handicaps of children assigned to these programs and to their needs for much small group or individual work, it is recommended that schools provide paraprofessional assistance to self-contained special classrooms and that careful consideration be given to the needs of the students before additional students are assigned. If appropriate, two additional students may be added to the caseload for each full-time paraprofessional assigned to the program, to a maximum of four additional students.

Developmental Classroom Model

The same maximum caseload, age span, etc. as described for the self-contained special classroom shall apply to the developmental classroom.

Summary

Program Level	Delivery Models	Maximum Caseload
All levels	1. Itinerant Teacher No more than 5 attendance centers	18 Increase to 24 (2 per each paraprofessional up to 3 paraprofessionals)
	2. Resource Room	18 No more than 10 at one time Increase to 22 (2 per each paraprofessional up to 2 paraprofessionals)
	3. Self-Contained	10 Increase to 14 (2 per each paraprofessional up to 2 paraprofessionals)
	4. Developmental Classroom	10 Same as self-contained

In-service

An essential component of all ongoing special education programs, at any entry level, is that of in-service for the building's regular staff. In order for a special education program to exist successfully within a building, administrators and the teaching staff must become aware of the unique needs of students identified as exceptional. The most successful programs operate where administrators are aware of the needs and lend support and where the building staff is cooperative in meeting the total needs of the exceptional student. Integration of the special education classroom into the building calls for a total team effort from the staff.

PARAPROFESSIONALS

The duties and responsibilities of paraprofessionals assigned to approved and certified teachers of learning disabled children shall be as outlined in the section, PARAPROFESSIONALS IN SPECIAL EDUCATION. Careful attention should be directed to the intent and proper use of the paraprofessional. He/she will assist the special education teacher in improving the quality of services to exceptional children. It is not intended that the paraprofessional will be employed in lieu of needed professional staff. Where a paraprofessional is employed to work in an itinerant program, he/she may work with the exceptional child when the teacher is not in the building only if the special teacher works directly with both the child and the paraprofessional at least twice a week. (See *Class Size and Caseload*, for additional information related to the utilization of paraprofessionals.)

8. VISUALLY IMPAIRED

DEFINITION OF EXCEPTIONALITY

For educational purposes, visually impaired children and youth shall be identified as those whose limited vision interferes with their educational and/or developmental progress. Two divisions for the visually impaired shall be made:

(1) *Partially Seeing.* Those whose visual limitation constitutes an educational handicap but who are able to use print as their primary educational medium.

(2) *Blind.* Those who must depend primarily upon tactile and auditory media for their education. This group may include individuals who have some residual vision but whose vision loss is so severe that, for educational purposes, print cannot be used as the major medium of learning.

Legal blindness is a descriptive term, applying to the blind and to certain partially seeing. It is used solely for the purpose of qualifying the State for certain amounts of Federal funds for each child so identified.

INTRODUCTORY STATEMENT

Similarities of visually handicapped children to sighted children are greater than their differences. A sighted child relies on his/her sense of vision for much stimulus and acquisition of knowledge regarding his/her environment. A visually impaired child must learn with his remaining senses. It has been shown that most visually impaired children can compete and achieve in regular school activities if given appropriate understanding, support, and assistance. Therefore, more and more emphasis should be placed on the integration of these children into the total school population. Each child shall receive instruction in the least restrictive alternative program which is appropriate to his/her individual needs and abilities. It should also be recognized that changing needs of each child may require that he/she move from one type of program to another.

IDENTIFICATION PROCEDURES

Medical Evaluation

The identification of each blind and partially seeing child at an early age is vital. Many partially seeing and blind children are identified at an early age by specialists, family physicians, public health or school nurses, or health and welfare agencies through routine examinations and/or surveys. Local education agencies should be alert to the possibility that children entering into their schools for the first time may have an identified vision impairment and should carefully study all medical histories.

Vision Screening

Children with unrecognized and uncorrected visual impairments may be identified initially through the Kansas compulsory vision screening program and follow-up. Statutes which mandate vision screening are as follows:

K.S.A. 72-5205. Each school board shall provide basic vision screening without charge to every pupil in its school not less than once every two years. All such tests shall be performed by a teacher or some other person designated by the school board. The results of the test and, if necessary, the desirability of examination by a qualified physician or optometrist shall be reported to the parents or guardians of such pupils; provided, that the information so reported shall not show preference in favor of any such professional person.

K.S.A. 72-5204(c). *Basic vision screening* means an eye testing program for each child based on a test chart which is graduated as to size of symbols or method of testing equal thereto or better in the judgment of the school board.

K.S.A. 72-5206. The requirements of this act shall not apply to a child who has had a basic vision screening examination within six months prior thereto.

It is not advisable to have a physician or eye specialist conduct the basic vision screening as parents and school patrons may confuse this screening procedure with the more comprehensive eye examinations performed in the specialist's office.

Observation

Basic vision screening does not identify all children who need eye care or who require a careful evaluation. Therefore, children who display any of the following behaviors should be considered for evaluation:

(1) Signs of visual discomfort, eye disease, or unusual appearance or positioning of the eyes;
(2) Difficulty in performing academic tasks requiring visual activity;
(3) Unusual behavior or adjustment problems;
(4) Uncertain movement in familiar surroundings;
(5) Unusual positioning of the head.

Identification and Referral

Preliminary screening tests, if correctly given, together with careful observations of use of vision should lead to the identification of those with a serious visual impairment. All children for whom further evaluation is indicated shall be examined by a qualified professional. School personnel shall inform parents when follow-up is required and shall counsel with and encourage parents to acquire the examination by an eye specialist. If the parents fail to obtain the needed examination, the local education agency may then apply to a court of competent jurisdiction for an order directing such an evaluation. To this end, records of all contacts and consultations with parents shall be maintained.

REFERRAL TO SPECIAL EDUCATION SECTION

The Special Education Administration Section, Kansas State Department of Education, is responsible for all special education programming for visually handicapped children zero to twenty-one years of age and shall coordinate all state resources, the elimination of any unnecessary duplication, the use of professionally developed program standards, and maximum educational efforts at the earliest possible age.

All blind and visually impaired children age zero to twenty-one shall be reported, as soon as identified, to the Special Education Administration Section. All public officials having official duties with respect to visually impaired persons shall cooperate in obtaining a full report of information.

The Special Education Administration Section shall maintain a central file of pertinent information concerning blind and visually impaired children.

SPECIFIC PROGRAM GOALS

The curriculum of an effective program for the visually impaired shall be adapted from the general educational program to meet the individual needs of the visually impaired child. The required adaptations shall be based upon the student's developmental functioning level and readiness for learning. The specific objectives of the program shall be performance-based and prescriptive in nature. The instructional methods and procedures for a visually impaired child shall stress the following:

(1) Individualization,
(2) Concreteness,
(3) Unified instruction,
(4) Additional stimulation, and
(5) Self-activity.

Teachers of visually impaired learners shall be conscious of the need for clarity and concreteness in verbal and written directions, choosing multisensory illustrations and devising experiencial learning situations whenever appropriate.

The special teacher's aim shall be to provide instruction to supplement or augment that available in the regular class. Emphasis shall be given to the chief modality through which the child learns and to strengthening the weaker modality. The visually impaired child shall be led to develop the ability to evaluate himself/herself in terms of both his/her assets and his/her impairments. He/she shall be motivated to develop the ability to assume his/her full share of responsibility for his/her total education without excessive dependence on others.

A thorough, meaningful orientation to his/her environment and independent mobility skills are essential for a visually impaired student to develop self-confidence, to travel safely and independently, and to profit maximally from his/her educational experiences. General education and special education staff shall give emphasis to environmental awareness and basic concept development for visually impaired learners. Therefore, in formulating the individualized educational program of a visually impaired student, provisions shall be specified for meeting the student's needs in the areas of orientation and mobility.

TEACHER CASELOAD

The number of children to be served by each teacher shall be determined by the delivery model used, the extent of services needed, and by travel distances. Travel distance shall be kept at a minimum in order to conserve the effectiveness of the teacher.

SPECIAL INSTRUCTIONAL MATERIALS

A federal act to promote the education of the visually impaired provides a limited amount of funds to each state to aid in the distribution of textbooks and educational materials to legally blind children in public and private nonprofit schools. In Kansas, these books in large print or braille, maps, disc and tape recordings may be borrowed for use during the school year through Wichita Regional Library for Visually Impaired and Blind. Also available is special tangible apparatus, such as braille writers, book racks, magnification devices, tape recorders, and abaci.

School administrators should request equipment, materials, and textbooks for visually impaired students in advance of the time they will be needed. Requests for books must be made by title and copyright date. The Wichita Regional Library will attempt to secure adopted and supplemental texts, library books, and enrichment materials which are required in the schools. When needed materials are unavailable at the Wichita Regional Library, these materials shall be obtained through the American Printing House for the Blind, utilizing the state quota account of federal funds.

INSTRUCTIONAL FACILITIES

Instructional facilities for the visually impaired shall meet the basic requirements of facilities for all exceptional children. Additionally, facilities utilized for the instruction of the visually impaired shall meet these specifications:

(1) Space shall be allowed to accommodate those materials used by the visually handicapped children. Braille and large print materials require more space than regular print materials.

(2) Correct illumination shall provide adequate light, well diffused, well distributed, and without glare for the visually impaired learner.

(3) Desks shall be adjustable with regard to height, angle, and position.

PARAPROFESSIONALS AND VOLUNTEERS

Paraprofessionals and/or volunteers may be utilized to great advantage to enhance the educational program and to free the certificated personnel from routine and non-instructional tasks. Typical tasks for volunteers and paraprofessionals in a vision program could include the taping and/or brailling of materials, preparation of worksheets and other noncommercial materials, clerical tasks, reading to or listening to an individual child or small group, and the preparation of bulletin boards. (See (PARAPROFESSIONALS IN SPECIAL EDUCATION section)

TEACHER PREPARATION

Teachers at the State School for the Visually Handicapped shall hold certification as specified in the policies adopted by the State Board of Education (5-10-77). All other teachers of the visually impaired in the state shall meet the certification requirements as stated in the most current certificate handbook, state of Kansas.

ADMINISTRATIVE STRUCTURES

Administrative plans appropriate to the education of visually impaired pupils are the self-contained classroom, the resource room, the itinerant teacher plan, and consultative services for the regular classroom teacher, special instructional materials and/or equipment only, integrated special classrooms, and special day schools. The plan selected shall meet the individual needs of the student. (See LEAST RESTRICTIVE ALTERNATIVES section)

In most attendance centers the number of visually impaired children to be served will be small enough to require the services of a resource teacher for only part of a day. The specialist, then, may function as an itinerant and consulting teacher for other visually impaired children in the area. This specialist may also be a sight conservationist who initiates vision screening or interprets the results and makes appropriate referrals. A vision teacher may serve in one school district or in a special education cooperative program. Care shall be exercised to avoid over-extending the special teacher.

Preschool Programs

In meeting the needs of preschool or multi-handicapped children with visual impairments, schools shall plan with the Special Education Administration Section to establish individually designed supportive services. Many visually impaired children will require such services in their home communities in order that they may be ready for appropriate educational situations. While educational services are not mandated for preschool children, it is strongly recommended that early intervention programs be provided whenever possible, including parent counseling.

A conference for parents of preschool visually handicapped children shall be held at least once a year, as a cooperative project of agencies providing services for the visually handicapped and their families, such as the Kansas State Department of Education, Department of Social and Rehabilitation Services, and the State School for the Visually Handicapped.

Residential Program

The administrative structure and operation of the Kansas School for the Visually Handicapped shall be subject to direct approval by the State Board of Education. The education program of the Kansas State School for the Visually Handicapped shall be monitored and supervised by the Special Education Administration Section of the Kansas State Department of Education through the Commissioner of Education, including program approval, curriculum, and certification of teachers.

The program emphasis at the State School shall be to specialize in providing services for visually handicapped children in the following circumstances:

(1) Children who live in districts which, due to widely spread territory, fail to provide the constant services designated in the IEP.

(2) Children who, according to recommendations of their IEP's need short-term intensive instruction in one or more subject(s).

(3) Children who, in addition to the visual handicap, have compounding, handicapping conditions to the extent that they cannot adequately function in a public school pro-

gram. These children may include Trainable Mentally Retarded Visually Impaired and, in certain instances, Severely Multihandicapped/Deaf-Blind, according to the goals and functional level indicated in the IEP's.

(4) Students recommended by the local placement team for KSSVH Vocational Training, that is, such subjects as cabinetmaking and piano tuning.

Additionally, the State School shall provide services to parents and professionals as follows:

(1) Staff development for individuals working in the area of the visually impaired,
(2) Special parent-child training sessions,
(3) Short-term special training sessions when needed and not available locally.

Both visually impaired and the multi-handicapped visually impaired learners between the ages of five and twenty-one years may be admitted to the State School. Placement of a child in the State School for the Visually Handicapped shall be made only after the local district and the parents have exhausted other placement options locally. Each local team shall have the power to include representatives from the State School in the staffing when that school might be an alternative placement for a particular child.

Students enrolled at the State School for the Visually Handicapped shall have access to the education programs in the local school districts near the location of the school, either part-time or full-time basis.

D. SUPPORT SERVICE AREAS: STANDARDS, AREAS OF STUDY, AND CURRICULUM

1. SUPPORT SERVICES

INTRODUCTORY STATEMENT

All children are entitled to a free appropriate education including special education and support services. Support services are those services that are required to maintain an exceptional child in an appropriate educational setting. They include, but are not limited to, audiology, counseling services, medical services for diagnostic or evaluation purposes, occupational therapy, parent counseling and training, physical education, physical therapy, psychological services, recreation, school health services, social work services, specialized equipment, speech/language services, transportation, and vocational education. This list is not all inclusive; support services may include other services as required to assist the child in the educational setting. Not all support services may be necessary for each individual child. The support services must be delivered by a qualified professional. Professional support personnel are included in the following definition of a *special teacher* and may be claimed by the local education agency for state categorical reimbursement. (See REIMBURSEMENT & FINANCE section.)

DEFINITION OF SPECIAL TEACHER

A special teacher is employed by a local education agency for special education services who is qualified to instruct exceptional children as determined by standards published by the State Board of Education and who is so certified by the State Board of Education. Special education supportive personnel certified by the State Board of Education, such as audiologists, school psychologists, school social workers, and speech clinicians, are certified and designated as *special teachers.* Special education supportive personnel, such as art therapists, music therapists, nurses, occupational therapists, and work placement or rehabilitation specialists, who hold current certification, registration or licensing from their respective licensing or registering agents appropriate for their special work may also be designated as *special teachers.* Other supportive personnel for which there is no licensing agent may be approved on an individual basis by the Special Education Administration Section if they are employed to work with exceptional children and are recommended for such employment by their parent training institution, for example, adaptive physical education, perceptual motor, counselors, early childhood.

SERVICES PROVIDED BY SPECIAL TEACHER

AUDIOLOGY:

(1) Identification of children with a hearing loss;
(2) The determination of the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the habilitation of hearing;
(3) Provision of habilitative activities, such as language habilitation, auditory training, speech reading (lip reading), hearing evaluation, and speech conservation;
(4) Creation and administration of programs for prevention of hearing loss;
(5) Counseling and guidance of pupils, parents, and teachers regarding hearing loss; and
(6) Determination of the student's need for individual and group amplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification.

COUNSELING SERVICES:

The services provided by guidance counselors.

MEDICAL SERVICES:

The services provided by a licensed physician to determine a child's medically related handicapping condition which results in the child's need for special education and support services.

OCCUPATIONAL THERAPY:

(1) Improvement, development, or restoration of functions impaired or lost through illness, injury, or deprivation;

(2) Improvement of ability to perform tasks for independent functioning when functions are impaired or lost; and

(3) Through early intervention prevention of the initial or further impairment or loss of function.

PARENT COUNSELING AND TRAINING:

The services assisting parents to understand the special needs of their child and providing parents with information about child development.

PHYSICAL EDUCATION:

(1) Development of physical and motor fitness;

(2) Development of fundamental motor skills and patterns;

(3) Development of skills in aquatics, dance, individual and group games, and sports including intermural and lifetime sports; and

(4) Adaptive physical education programs having the same objectives as the regular physical education programs, but in which adjustments are made in the curriculum to meet the needs and abilities of exceptional individuals.

PHYSICAL THERAPY:

The services provided by a qualified physical therapist, acting under a doctor's order, in training and maintaining the use of the muscular skeletal system.

RECREATION:

(1) Assessment of leisure function,

(2) Therapeutic recreation services,

(3) Recreation programs in school and community agencies, and

(4) Leisure education.

SCHOOL HEALTH SERVICES:

The services provided by a qualified school nurse or other qualified person in consultating and delivering emergency medical procedures, contacting the parents, doctors and school officials in case of illness; and maintaining medical records on students.

SCHOOL PSYCHOLOGICAL SERVICES:

(1) Consultation with other staff members in planning school programs to meet the special needs of children as indicated by psychological tests, interviews, and behavioral evaluations;

(2) Administration of psychological and educational tests and other assessment procedures;

(3) Interpretation of assessment results;

(4) Obtainment, integration, and interpretation of information about student behavior and conditions relating to learning; and

(5) Planning and management of a program or psychological services, including psychological counseling for students and parents.

SOCIAL WORK SERVICES:

(1) Preparation of a social or developmental history of the handicapped student;

(2) Group and individual counseling with child and family;

(3) Assistance with those situations in the student's living environment (home, school, community) that affect the student's adjustment in school; and

(4) Mobilization of school and community resources to enable the student to receive maximum benefit from his or her educational program.

SPECIALIZED EQUIPMENT:

Any unique instructional media not ordinarily available to all students, but needed by the student for learning: for example, large print materials, brailers; amplification equipment, non-oral communication devices; standing tables, prone boards, parallel bars; adaptive manipulanda, feeding equipment, and other devices.

SPEECH/LANGUAGE SERVICES

(1) Identification of students with speech and language disorders;
(2) Diagnosis and appraisal of specific speech and language disorders;
(3) Referral for medical or other professional attention necessary for the habilitation of speech or language disorders;
(4) Provisions of speech and language services for the habilitation or prevention of communicative disorders; and
(5) Counseling and guidance of parents, students, and teachers regarding speech and language disorders.

TRANSPORTATION:

(1) Travel to and from school and between schools;
(2) Travel in and around school buildings; and
(3) Specialized equipment, such as special or adapted buses, lifts, and ramps, if required to provide special transportation for a handicapped student.

VOCATIONAL EDUCATION:

(1) Development of educational programs directly related to the preparation of students for work situations,
(2) Assessment of students for specific work skills and work preference,
(3) Placement and supervision of work-study employment,
(4) Community relations for the procurement and placement of job opportunities for students, and
(5) Assessment and planning of prevocational programming for students.

SCOPE OF SERVICE

Support service personnel shall be used to deliver direct and/or consultative services to the student and his/her teacher. The student's individualized educational program shall specify the support services needed for his/her educational planning and programming. The purpose of these services is to enhance the special education services and to provide necessary data for evaluation processess. The services a student receives should be integrated as closely as possible into his/her total program to ensure effective carry-over.

The school is not responsible for the delivery of medical treatment, but the school should have accurate, medical records of the student's condition as it relates to special education. The school is only responsible to provide medical diagnosis which is necessary to educational planning and programming for the exceptional child.

DELIVERY MODEL:

Factors which obviously will influence effective pupil/teacher ratios will include the following:

(1) The type and severity of handicapping conditions represented by individuals requiring services and their chronological age,
(2) Travel distance required for teachers and/or pupils,
(3) Number of facilities in which services are provided,
(4) Professional competencies of the specialists, and

(5) Adequacy of service supervision.

The above criteria should determine caseload and class size decisions for support services not included as a program area in this Plan.

2. PARAPROFESSIONALS IN SPECIAL EDUCATION

DEFINITION

To follow the intent of K.S.A. 72-962, paraprofessional is qualified...*to assist certificated teachers in the instruction of exceptional children....* This individual, therefore, shall be referred to as an *instructional paraprofessional.*

The special education paraprofessional is a team member who works alongside the special education teacher. He/she not only frees the teacher from the more routine tasks of the classroom, but also serves as an effective part of the educational team. With differentiated responsibilities, he/she carries out the programs developed by the special education professionals. The scope of the definition described here and the paraprofessional section in general focus on the instructional paraprofessional who works with a specified teacher and is assigned to a particular classroom.

This definition also includes those paraprofessionals located in a public institution or other private facility who are providing assistance to the special education teacher in an accredited special education program. The standards for program approval shall remain the same for these settings as for the public school programs.

Paraprofessionals in Special Education Support Services

Because some special education personnel provide supportive or indirect services to exceptional students, the definition and duties of the paraprofessional in those areas, as described in this section, may not apply. Paraprofessionals may be approved in supportive services and qualify for special education reimbursement. For further, more specific role clarification of paraprofessionals in the special education support services, refer to the program area sections of SPEECH AND LANGUAGE, SCHOOL PSYCHOLOGY, SCHOOL SOCIAL WORK, and SPECIAL EDUCATION INSTRUCTIONAL MATERIALS CENTERS.

Paraprofessionals in Transporting Students

There are two instances in which a special education paraprofessional may be approved for assistance provided during the time students are being transported by bus to an attendance center. These include the following:

(1) Cases in which the student's physical needs are of a severe nature. Some severely multiply handicapped students have choking or seizure problems that require close monitoring by an adult.

(2) Cases in which the student's emotional behavioral needs are of a severe nature that constant adult supervision is necessary.

Local education agencies are encouraged in both cases to utilize these paraprofessionals also in the special education classroom to which they are assigned. Each of the above cases is subject to individual approval from the Special Education Administration Section.

Child Care Aides

This definition *does not* include those individuals who are referred to as *child care aides* and are employed for the primary purpose of performing such duties as playground or lunchroom supervision, office clerical tasks, attendance takers, lunch and milk money collectors, or providing personal and hygienic care to pupils outside of the instructional program. Child care aides may be employed to do the tasks mentioned above, but *will not be eligible for reimbursement as special education instructional paraprofessionals.*

INTRODUCTORY STATEMENT

Need and Rationale

As schools begin to guarantee full educational opportunities for every exceptional child, regardless of his/her background, handicapping condition, or geographic location, the range of special education services must become broader and more varied. The scarcity of special education programs is further intensified by the mandate of the Special Education

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for Exceptional Children Act and P.L. 94-142. As local education agencies fill their programs to capacity, larger numbers of students in classrooms and other support services often make individualized attention from special teachers less than the severity of the handicap demands. Tasks that normal pupils handle with no difficulty often present severe problems for handicapped children and youth.

The special education paraprofessional has become an essential person in the expansion of programs for students with special needs. Exceptional children and youth require smaller classes; therefore, more personnel are needed. In addition, more and more pupils are being admitted to public school programs who before were in institutional settings or were receiving no educational services at all. The paraprofessional can help overcome these obstacles and work towards the quality education that is necessary for exceptional students.

LEGAL AUTHORITY FOR PARAPROFESSIONALS IN SPECIAL EDUCATION

In 1974, the Kansas Legislature enacted the Special Education for Exceptional Children Act which gave a more precise definition and role to paraprofessionals in special education. In K.S.A. 72-962 *special teacher* means a person employed by a local education agency for special education services who is (a) a teacher qualified to instruct exceptional children as determined by standards established by the state board and who is so certified by the state board; or (b) a paraprofessional qualified to assist certificated teachers in the instruction of exceptional children as determined by standards established by the state board and who is so approved by the state board. In addition, K.S.A. 72-978 calls for reimbursement of special education paraprofessionals: *...each special teacher who is a paraprofessional as defined by K.S.A. 72-962 of this Act shall be counted as one-half full-time equivalent special teacher....* As a result of this legislation, rules and regulations for training, utilization, supervision, and approval of special education paraprofessionals shall be established to ensure the proper intent of the law.

UTILIZATION OF PARAPROFESSIONALS

In order to use a paraprofessional effectively, it is necessary that the teacher first have a clear vision of his/her own role as a teacher. He/she needs to understand the hierarchy of the instructional tasks and then decide which ones best involve his/her time and which ones should be delegated to his/her assistant. The amount and quality of professional supervision given is crucial in deciding what duties paraprofessionals can and should perform. There is almost universal agreement that the diagnosis of educational needs and the planning and design of programs and procedures to meet those needs are professional functions. The role of the paraprofessional is to provide support to the approved special education personnel in the educational program, management of students, and assistance with non-instructional tasks.

Duties and Responsibilities — General

Instructional responsibilities shall center around follow-up or reinforcement activities. Initial instruction involving the presentation of new lessons or concepts should be the responsibility of the special education teacher. The teacher shall plan cooperatively with the paraprofessional and assign implementation duties to this individual. The teacher may wish to work with individual pupils or small groups on particular learning problems while the paraprofessional helps other class members, listens to reading, or similar activities. In turn, paraprofessionals may tutor individual children or work with groups, using materials and techniques chosen or designed by the teacher. The paraprofessional should not be employed to make the teacher's job any less responsible, but to improve the quality of the education program for exceptional students.

More specific roles and responsibilities of paraprofessionals in each categorical program may be found in individual program area sections.

Unacceptable Duties and Responsibilities

The special education paraprofessional shall not:

(1) Be solely responsible for a classroom or a professional support service.

(2) Select diagnostic and psychological instruments or interpret the results from these tests.

(3) Program and prescribe educational activities and materials for the students without the supervision and guidance of the teacher.

(4) Be solely responsible for preparing lesson plans and initiating original concept instruction.

(5) Be assigned to work with one or more of the most *difficult* students in the special education classroom or support services the majority of the school day merely for the convenience of the teacher. Assignments should be made on the basis of student needs.

(6) Be employed in lieu of needed itinerant special education personnel. The paraprofessional may work with an exceptional student when the special teacher is not in the building, only if the special teacher works directly with both the pupil and the paraprofessional at least twice a week. **In the area of speech services, refer** to the program area for appropriate alternative guidelines.

(7) Be utilized as a substitute teacher unless he/she is approvable as a substitute teacher and possesses the appropriate certificate.

Paraprofessionals Facilitating Least Restrictive Alternatives

P.L. 94-142 and this Plan speak to the provision of the least restrictive environment in programming for students in special education programs. In order to facilitate students being mainstreamed into regular class programs, the paraprofessional may assist the regular classroom teacher in the mainstreaming process. At times when the teacher is working with the exceptional pupil(s), the paraprofessional may work with the class in a group activity. The paraprofessional shall not be utilized in activities which do not relate to the acceptance and education of exceptional student(s) into that particular classroom.

These paraprofessionals must be assigned to and confer with the special education professional in the program the student is being mainstreamed from regarding the progress of the student in the regular class setting. The amount of time the special education paraprofessional spends in the regular classroom would depend on the number of students mainstreamed and the nature and degree of the student's handicap.

The paraprofessional may also be utilized to maintain physically or visually impaired students in regular class programs. In these situations the paraprofessional should spend the majority of the school day providing individual attention to the pupil assisting him/her with physical needs and/or educational activities. The paraprofessional should be assigned to the regular class teacher(s) and the appropriate special education professional.

Local education agencies utilizing paraprofessionals in these specific areas shall obtain approval for each individual case from the Special Education Administration Section.

ADMINISTRATIVE PROCEDURES

Ratio of Paraprofessionals to Special Education Personnel

There shall be no more than three full-time or three half-time paraprofessionals assigned to each special education staff member. In programs for severely handicapped students, where the demands of the educational program include both physical and academic educational programming, the ratio of paraprofessionals to professional staff may be increased depending upon the teacher's ability to adequately supervise and plan for the additional paraprofessionals. Increases in this ratio must be approved by the Special Education Administration Section.

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Ratio of Special Education Personnel to Paraprofessionals

A paraprofessional shall not be assigned to more than two special education personnel or more than two classrooms or educational settings. In team-teaching settings, interrelated programs, or itinerant situations, the paraprofessional should have a professional he/she relates to for counseling, supervision, and on-the-job training.

Ratio of Paraprofessionals to Pupils

Paraprofessionals may work with individual students, small groups, large groups, or the total classroom. There is no specified ratio of paraprofessionals to pupils. However, in settings where the children are younger and/or have serious handicaps (multiple disabilities), the ratio of paraprofessionals to students may be increased.

Class Size and Caseload

The class size and caseload in selected categorical areas can be increased with the utilization of paraprofessionals. In certain program areas, a paraprofessional(s) is required for specific numbers of children up to the maximum class size. For specific cases, review the appropriate categorical area.

Supervision of Students

Paraprofessionals may work with or supervise pupils in the classroom, playground, hall, restroom, therapy area, gymnasium, and other specified areas on campus. In some situations, teachers are permitted to leave the class with the paraprofessional, but this shall be for as short a time as possible. The teacher should remain on campus and continue to be the person responsible for the classroom and students. Off-campus activities, such as work-study placements, field trips, errands, shopping, and recreation, may be supervised by paraprofessionals if appropriate supervision, approval, and insurance coverage are provided by the local education agency.

Fiscal Policies

As stated previously, special education paraprofessionals shall be reimbursed at the rate of *...one-half (1/2) full-time equivalent special teacher....* Paraprofessionals working on a volunteer basis shall not be eligible for state reimbursement. Paraprofessionals shall be employed annually or on a one-half year basis. The paraprofessional shall be counted as a full-time staff member if employed six or more hours per day, or as a half-time staff member if employed at a minimum of three hours per day. Unique situations, such as vision and hearing screening programs and infant and preschool home programs, may be eligible for reimbursement for less than three hours per day upon approval of each individual case by the Special Education Administration Section.

Job Descriptions

Paraprofessionals should have a job description(s) which clearly defines their duties and responsibilities in the special education program(s) to which they have been assigned as per the written contract. The job description(s) may also contain a list of unacceptable duties, terms of employment, specialized training, and qualification.

Training

Local education agencies shall be responsible for providing training to special education paraprofessionals in areas appropriate to the setting in which they will be assigned. It is very important to assure, for reasons of legality, that duties given to paraprofessionals be commensurate with their experience and training.

Supervision and Evaluation

Instructional paraprofessionals shall be directly supervised and evaluated by the special education personnel to whom they are assigned. Overall supervisory and evaluative responsibilities rest with the principal as they do for other school staff members. In cases where the paraprofessional is assigned to itinerant staff, that is, speech or learning disabilities, and this person is not present every day, the paraprofessional shall be assigned to and supervised by the principal or a designated teacher. Periodic written evaluations with resulting conferences should be a definite part of the administrative structure of the local education agency.

APPROVAL OF PARAPROFESSIONAL PROGRAMS

Program Approval

Paraprofessional programs will vary depending upon local needs, sources and amount of funding, and availability of personnel. It is strongly recommended that a local education agency plan very carefully before initiating a paraprofessional program. Such factors as recruitment, selection, placement, and training are matters for which planning needs to be done and policies established before paraprofessionals are employed. Program approval, supervision, and monitoring will be based on the following:

(1) Names and assignments of paraprofessional personnel and the name of the special education professional(s) that the paraprofessional is assigned to shall be included as part of the approval forms utilized by the Special Education Administration Section.

(2) The paraprofessional shall be under the supervision of an approved special educational professional(s).

(3) Special Education paraprofessionals employed as of September 15 will be reimbursed at the rate of one-half the full-time teaching equivalency. Any approved personnel employed after September 15 will be reimbursed at a rate equal to the proportion of the number of complete months employed to the full school year (nine months).

(4) The paraprofessional in direct education service programs shall be involved in duties and activities which relate to the role of an *instructional paraprofessional.*

(5) School officials are encouraged to seek paraprofessional employees with at least a high school diploma. Experience and individual competence, however, should be given the highest priority. Paraprofessionals in the following program areas will require specific skills and levels of training: school psychology and school social work.

(6) Individual programs with specific cases may be referred for individual approval to the Special Education Administration Section.

Individual Paraprofessional Approval

An approval process for special education paraprofessionals was approved by the Professional Teaching Standards Board in September, 1977, and received by the State Board of Education in February, 1978. The State Board stipulated that the approval process shall be included as part of the Special Education Paraprofessional Section of this Plan.

In-Service Program Standards

Each local education agency shall be required to file with the Special Education Administration Section, Kansas State Department of Education, a plan for in-service training for special education instructional paraprofessionals. At the conclusion of the school year, a report shall be filed, verifying the activities that occurred during that academic year.

The following components shall be included as part of the in-service training program:

In-service training specifically related to the area and type of program in which the special education instructional paraprofessional is employed shall be provided. The training should include, but not be limited to, four sessions during the school year for a total of at least 20 in-service clock hours.

An orientation session shall be included as one of the four sessions. These sessions should include topics, such as role expectations, duties and responsibilities, relationship of paraprofessionals to the total school environment, salaries and fringe benefits, and policies, rules, and regulations of the local education agency.

Participation in state or regional workshops designed for the instructional paraprofessional and other related local or state workshops can be included as part of the local education agency's in-service training program.

Standards And Requirements For Permits

Each special education instructional paraprofessional shall be required to possess one of the following permits to work in a special education program or service in an accredited school.

PARAPROFESSIONAL I PERMIT: This is the only required level a paraprofessional must obtain. The requirements are —

(1) Participation in at least four in-service sessions offered by the local education agency, Kansas State Department of Education, and/or agency or professional organization totaling at least 20 clock hours of in-service training per school year.

The local education agency may choose to substitute all or part of the above requirements with an equivalent amount of appropriate college coursework taken during the school year.

Paraprofessionals, new to the local education agency, shall receive a Paraprofessional I Permit after participation in an in-service orientation session and upon guarantee by the local education agency that the paraprofessional shall meet the requirement as stated above for Paraprofessional I Permit.

PARAPROFESSIONAL II PERMIT: The requirements are —

(1) two years experience as an instructional paraprofessional;

(2) a completion of 30 semester college hours of approved academic work, or an equivalence of 450 clock hours of approved in-service training; or a combination of each of the two totaling 450 clock hours.

The permit should be reissued every three years.

PARAPROFESSIONAL III PERMIT: The requirements are —

(1) three years experience as an instructional paraprofessional;

(2) a completion of 60 semester college hours of approved academic work, or an Associate Degree from an approved training program for instructional paraprofessionals, a certificate from an approved training program for instructional paraprofessionals from a vocational technical school, an equivalence of 900 clock hours of approved in-service training, or a combination of each of the four totaling 900 clock hours.

The permit should be reissued every three years.

In order to advance to a higher level, a paraprofessional shall verify successful completion of the requirements stipulated under each previous permit.

Entry Level Placement for Credentialed Personnel

The superintendent, special education director, or other designated staff may decide what level permit a credentialed person may obtain upon entry into the school system as a special education instructional paraprofessional. The experience criteria may be waived for these individuals.

Administrative Procedures*

(1) Appropriate forms (including permits) will be developed for reporting and monitoring purposes.

(2) Procedures will be developed for implementing the *approval process.*

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* These forms and procedures will be developed by the Special Education Administration Section.

3. SCHOOL PSYCHOLOGY

DEFINITION

The school psychologist is a professional trained to assist the school in improving the achievement and adjustment of children, including those with physical, educational, emotional, and mental handicaps as well as those with exceptional talents or giftedness. Although this often requires an intensive individual psychological study of children referred because of problems, the school psychologist's role is equally vital on a broader spectrum. As a member of the educational team, he/she is a major resource and support person to school staff in the development of an environment responsive to the needs of children which focuses on the prevention as well as the alleviation of problems and the maximum development of each child's potential.

SCOPE OF SERVICES

School psychological services shall be utilized in the *total school program* to develop a positive learning climate and to assist in the achievement and adjustment of all children. The early recognition of a child's unique abilities may ensure greater benefit to society as well as greater satisfaction to the individual. The early detection and resolution of social, emotional, and academic problems in the regular classroom may prevent or minimize the need for intensive services at a later time. The services of a school psychologist, therefore, should be available to all students, parents, and school staff.

School psychological services are an essential component of *special education services* and shall be provided under the special education mandate. As a member of the special education services team, the school psychologist will assist in *screening, diagnosis, and certification of exceptional children* (K.S.A. 72-963), and will participate in the *educational planning* and *implementation of the special services needed.* Special education services shall be provided in a continuum from supportive services for a child in the regular classroom to the more intensive services of special placement if needed. The school psychologist shall be available for assistance at any point on this continuum.

Implementation of special education services for all exceptional children by 1979 will place a heavy burden on all school staff involved in screening and evaluation of exceptional children. In districts where special education services are being initiated, the responsibilities of the psychologist may be inordinately heavy in this area for a time; but the broader range of psychological services should be made available as soon as possible.

RESPONSIBILITIES

Responsibilities of the school psychologist involve several areas including improvement of the school learning climate, assistance to staff in promoting student social and emotional growth, promotion of good school/community relations, use of various intervention techniques, individual child study, development of educational plans for children with exceptional needs, and initiation and utilization of research. Although not limited to those listed, the responsibilities of the school psychologist may include such assignments as the following:

(1) Assist in the development of school system procedures for assessing learning and/or social and emotional needs and recommended appropriate procedures for educational growth.

(2) Assist teachers in the development and implementation of classroom strategies for increasing classroom efficiency. This might include such things as behavior management techniques, use of criterion referenced materials, or encouragement of positive self-concept activities.

(3) Assist in planning and conducting school staff in-service for awareness and understanding of exceptional children and assist regular classroom teachers to program for mildly handicapped students.

(4) Assist parents through group meetings or individual psychological counseling to develop a better understanding of normal and atypical child development and behavior and more positive parent-child relationships.

(5) Confer with teachers, parents, and students regarding behavioral or emotional problems. Provide individual and group therapeutic intervention when training permits.

(6) Provide referral and follow-through on referral to community specialists.

(7) Assist the school in the development of public awareness of the needs of children and better understanding of exceptional children.

(8) Maintain a close working relationship with all school staff at the building level to assist in the early recognition and/or prevention of educational problems as well as in the implementation and assessment of corrective programs.

(9) Provide assistance to school staff in the utilization of educational research.

(10) Initiate educational research as approved by the local education agency.

The responsibilities of the school psychologist relate to the educational and psychological growth of *all* children — *those in special education as well as in regular education*. In addition, the school psychologist has specific responsibilities related to special education services. These include involvement in screening and evaluation of exceptional children and in the development, implementation, and review of the child's individualized educational program.

The responsibilities of the local education agency in the area are discussed in detail in the SCREENING, EVALUATION, PLACEMENT, AND REVIEW PROCEDURES section. Referral to that section is necessary for a more complete discussion of the following starred (*) items.

Specific responsibilities of the school psychologist in the implementation of special education services are as follows:

(1) Assist in the development and implementation of the local education agency screening program to tentatively identify children in need of special education services.

(2)* Administer psychological and educational tests, conduct classroom observations and teacher and parent conferences, and assist in gathering information needed to identify and plan for the education of exceptional children. This may include information needed for either preliminary planning or as a portion of the comprehensive evaluation.

(3)* Serve as a member of the multidisciplinary team responsible for comprehensive evaluations.

(4)* Confer with parents or teachers regarding the results of special education evaluations and educational planning. *This shall be done in cooperation with other special education staff as a coordinated effort.* Communication with parents should at all times be understandable to them and cognizant of their concerns.

(5)* Participate in staffing conferences held after completion of a comprehensive evaluation. Assist in formulation of the written individual educational program. Possess knowledge of community and state resources, such as private schools and other agencies, which may aid in appropriate planning.

(6)* Participate in building level staffings on a regular basis. Assist in the *periodic short-term* and *annual review* of the progress of special education students as needed.

(7)* Provide psychological assistance to special education programs located in assigned buildings.

(8)* Assist school personnel, parents, and students in the successful transition and reintegration of students returning to the local school from state institutions or other placements.

(9) * **Collect and compile data from comprehensive evaluations, teacher referrals, and other sources which indicate a need for additional special education services. Make this information available to the administrator of special education or other school administrator and assist where needed in the planning and development of such programs.**

DIFFERENTIATED DUTIES

In local education agencies in which several school psychologists are employed, the responsibilities of the school psychologist as listed above may be differentiated to allow concentration of services. In view of the complexity of the competencies required, it may be preferable to assign the school psychologist to serve at only the elementary or secondary level, or where needs justify, an assignment may be made for specialized services such as diagnosis, crisis intervention, and parent counseling. When such assignments are made, a description of the type of services to be provided shall be indicated in the local education agency's comprehensive plan; and those psychologists so assigned shall be indicated on the personnel sheet accompanying the Annual Survey Form.

SCHOOL PSYCHOLOGY INTERNS

School psychology interns placed in a district by a training institution may participate in those activities normally carried out by the approved school psychologist. However, all psychological evaluations, including testing and behavioral observations, will be reviewed and signed by the supervising psychologist. The supervising psychologist *will be responsible* for special education placement or programming decisions based upon such data.

CASELOAD

Consideration of several factors are necessary when attempting to determine the number of children who can adequately be served by a school psychologist. A ratio of no less than one school psychologist to 1,500 school population may be used as a base figure. However, time spent with, or on behalf of, the student shall be sufficient to be educationally or therapeutically adequate, as determined by the evaluation of the child's needs. The following conditions shall be considered as reasons which require a lower student/school psychologist ratio:

(1) Assignment to areas where socio-economic conditions increase student and family problems.
(2) Assignment to schools separated by considerable distance. Excessive travel time should be avoided wherever possible.
(3) Assignment to schools where a highly mobile population is served.
(4) Assignment to schools where a large number of programs for exceptional children are housed.

SUPERVISION OF SCHOOL PSYCHOLOGY SERVICES

In local education agencies employing several school psychologists, provision shall be made for coordination and supervision of the school psychological services as specified in LOCAL ADMINISTRATION AND SUPERVISION OF SPECIAL EDUCATION section. Additionally, the person designated as coordinator/supervisor shall meet the following requirements:

(1) Have experience as an approved school psychologist, *and*
(2) Hold at least provisional approval as School Psychologist II, *or*
(3) Hold full approval as School Psychologist I.

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TRAINING AND CERTIFICATION

School psychological services are provided by psychologists trained at the masters level or above in the combined fields of psychology, general education, and special education. They have met special education requirements through criteria established by the State Board of Education and are certified by the Kansas State Department of Education. Completion of a school psychology training sequence is required.

When persons are trained in school psychology, but not as teachers, a limited certificate will be issued. Coding of the certificate will limit the placement of such personnel to *School Psychology only.*

SCHOOL PSYCHOLOGY PARAPROFESSIONALS

In an attempt to utilize the school psychologist efficiently in meeting the needs of a school system, it is recognized that school psychological services are extremely complex and levels of duties or responsibilities can be delineated. Therefore, in accordance with K.S.A. 72-962 and 72-978, local education agencies may employ as a paraprofessional and receive reimbursement for those persons who hold a *baccalaureate degree in psychology or education* when the following conditions are met:

(1) Careful planning shall be employed in the development of the tasks assigned to the school psychology paraprofessional. Because of the importance of school psychological services in the lives of those persons receiving services, responsibilities shall be assigned to persons on the basis of their competency to carry them out. Where needed, preservice or in-service training shall be provided prior to the assumption of these duties.

Examples of tasks which may be appropriately assigned to a school psychology paraprofessional are:

- Organize or schedule conferences with teachers or parents for school psychologists,
- Record data during behavioral observations,
- Assist teachers or psychologists in the implementation of a behavior management program,
- Provide assistance in the scoring or recording of test data,
- Provide support to individual students through role modeling and other activities planned by the school psychologist,
- Prepare a data for analysis, for example, graphing test results, preparing statistical tables, and summarizing information from questionnaires,
- Assist with individual or group screening.

(2) The school psychology paraprofessional shall be employed under the *direct* supervision of a certified school psychologist.

(3) In no case shall more than three baccalaureate level paraprofessionals be assigned for supervision to one certified school psychologist.

(4) The baccalaureate level school psychology paraprofessional shall not be involved in psychological counseling or therapy, or psychological evaluation.

(5) Names, social security numbers, and assignments of the school psychology paraprofessional shall be included on the personnel sheet accompanying the annual survey.

(6) A written statement of the task assignments and procedures of evaluation used for the school psychology paraprofessional program shall be included as part of the local comprehensive plan.

APPROVAL OF SCHOOL PSYCHOLOGY PARAPROFESSIONALS

A paraprofessional approval process has been adopted and becomes effective for the 1978-79 school year. School psychology paraprofessionals shall obtain a permit as required

for other special education paraprofessionals. The level of permit shall be determined by the superintendent, special education director, or designee as described for certificated personnel. (See PARAPROFESSIONALS IN SPECIAL EDUCATION section)

REIMBURSEMENT

Special education reimbursement for certified school psychologists employed at least half-time is available on the same basis as for other special education certificated personnel. Support personnel as well as special education teachers are designated as *special teachers*. Reimbursement for approved school psychology paraprofessionals is also available. (See REIMBURSEMENT AND FINANCES section for amounts and types of reimbursement)

4. SCHOOL SOCIAL WORK

DEFINITION

The school social worker assists in mobilizing family and community resources to promote the educational growth of children and provides a liaison between home, school, and community. Support and assistance is provided to the school staff and the home in the solution of mutual concerns and to the child as his/her advocate.

SCOPE OF SERVICES

School social work is a specialized supportive service to both the regular education and special education programs. As a member of the special education team, the school social worker is considered essential to the adequate development of programs. Special education programs are based upon individual differences within the child. Nevertheless, the impact on the child of social and cultural influences in the community and the home, as well as factors within the school itself, must be understood. Interaction of the school social worker with other members of the special education team will facilitate this understanding and promote needed modification of programs or policy.

The school social worker has a vital liaison role when the school is working cooperatively with another community agency, such as the juvenile court, mental health center, or Social and Rehabilitation Services Department. Preparation for return of students from a detention home, mental health facility, or other state facility into the public school requires careful planning and continued follow-up. Often adequate services of this type provided by a school social worker will determine the effectiveness of the change.

As a member of the total school staff, the school social worker assists in developing a better understanding of factors which may be counter-productive to learning. This emphasis on the prevention of problems, as well as supportive assistance offered to individual children, parents, and school staff, is an integral part of school social work services.

School social work services are considered as part of the support services necessary to the effective implementation of special education programs required by law (K.S.A. 72-961 - 72-980 and 72-933). School social work, however, is not mandated at this time. Consideration will be given to requiring these services in the future contingent upon availability of personnel and differentiated levels of staffing. The Kansas State Department of Education's rules and regulations pertaining to the provisions of school social work services will be amended as indicated.

RESPONSIBILITIES

The responsibilities of the school social worker shall include, but not be limited to, the following:

(1) Provides direct services to parents or children.

- (a) Assists in the establishment of trust relationships with parents. The school social worker is often the first representative from the special education services staff to have contact with a family.
- (b) Assists in communicating parental concerns to the school and the school's concerns regarding the child to his/her parents. This might be considered a process of mediation between home and school.
- (c) Assists the child's family and the school in the effective utilization of community resources.
- (d) Maintains follow-up of children being seen by another community agency; assists the parents in locating and acquiring any additional services which are needed.
- (e) Serves as a member of the multi-disciplinary team responsible for Comprehensive Evaluations. (See SCREENING, EVALUATION, PLACEMENT, AND REVIEW section)

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(f) Provides supportive group and individual casework and counseling services to students and parents on school related problems.

(g) In cooperation with other support personnel, plans and conducts parent meetings or training to assist parents in a better understanding of their child's unique needs and their role in effective parenting.

(h) Provides assistance to the family and school during the adjustment period when a child is returned to the community from a state institution or other placement.

(2) Maintains communication with and provides consultation to school personnel.

(a) Channels appropriate community information to the school to help improve school - child relationships through better understanding.

(b) Consults with administrators or other school personnel concerning social and cultural factors contributing to pupil problems in the school system; participates in the formulation of policies designed to improve the school learning climate.

(c) Assists other special education services personnel in providing school in-service related to the special needs of children.

(d) Reviews, in cooperation with other appropriate school personnel, current information pertaining to a child's progress and assists in the reformulation of the individual educational program, as needed.

(3) Assists in effective school and community cooperation by acting as a liaison between the school and existing community resources.

(a) Is available to consult in community planning and to interpret the role of school social work to institutions and other community agencies.

(b) Assists in developing community awareness of the needs of all children including those with exceptional needs.

CASELOAD

Consideration of several factors is necessary when attempting to determine the number of children who can be adequately served by a school social worker. A ratio of no less than one social worker to 1,500 school population may be used as a base figure. However, time spent with, or on behalf of, the student shall be sufficient to be educationally or therapeutically adequate, as determined by the evaluation of the child's needs. The following conditions shall be considered as reasons which require a lower student/school social worker ratio:

(1) Assignment to areas where socio-economic conditions increase pupil and family problems.

(2) Assignment to schools separated by considerable distance. Excessive travel time should be avoided wherever possible.

(3) Assignment to schools where a highly mobile population is served.

(4) Assignment to schools where a large number of programs for exceptional children are housed.

In local education agencies where a master's level social worker has the assistance of a paraprofessional, the unit (school social worker and one to three paraprofessionals) may serve a somewhat higher population. The specific caseload number for this type of service is difficult to establish, but consideration of the time required for supervision and the limitations on service because of the time needed for supervision and the limitations on service due to the paraprofessional's level of training should be carefully considered. (See *Social Work Paraprofessionals* of this section for regulations related to baccalaureate degree social workers.)

The school social worker shall provide *at least* two hours per week of direct supervision for each paraprofessional assigned to him/her. The student population caseload of the supervisor shall be adjusted downward in relation to the number of hours spent in supervision.

SUPERVISION OF SCHOOL SOCIAL WORK

In local education agencies employing several master's level school social workers, provision shall be made for coordination and supervision of these services. The person designated as coordinator/supervisor shall hold full approval and have had at least one year of experience as a school social worker in a public school setting.

When ten or more school social workers are employed, at least one full-time coordinator/supervisor should be employed. When more than two but fewer than ten master's level social workers are employed, it is suggested that one be designated as coordinator/supervisor and be provided release time to perform necessary duties. In local education agencies with small numbers of special education programs, the special education administrator may serve as coordinator/supervisor.

TRAINING AND CERTIFICATION

Approvable school social work services are provided by trained master's level social workers who have met requirements under special education criteria established by the State Board of Education and who are certified by the Kansas State Department of Education (See Certificate Handbook). Where persons are trained in school social work, but not as teachers, a limited certificate will be issued. Coding of the certificate will limit the placement of such personnel to school social work only. In such cases *all* of the required 200 clock hours in supervised field experience must be in a public school setting.

Bachelor's level social workers are not certified by the Kansas State Department of Education, but may be employed as paraprofessionals defined within this section if they work under the direct supervision of a certified master's level school social worker.

SOCIAL WORK PARAPROFESSIONALS

Within the social work field, several levels of training have been articulated in an effort to provide differentiated staffing and to more fully utilize the talents of persons interested in that helping profession. In keeping with this trend, and in accordance with the provisions of K.S.A. 72-962 and 72-978, local education agencies may employ as a paraprofessional and receive reimbursement for those persons who hold a baccalaureate degree in social work when the following conditions are met:

(1) Careful planning shall be employed in the development of the tasks assigned to the baccalaureate school social worker. The term *paraprofessional* which is used to indicate a non-certified but reimbursable special education staff member is not intended to downgrade those skills which the baccalaureate person has acquired. Conversely, however, because of the importance of social work in the lives of those persons receiving service, responsibilities shall be assigned to persons on the basis of their competency to carry them out.

(2) The baccalaureate social worker shall be employed under the *direct* supervision of a master's level certified school social worker.

(3) No more than three baccalaureate level personnel shall be assigned for supervision to each master's level certified social worker.

(4) Monitoring and assistance where needed shall be provided by the certified social worker.

(5) The baccalaureate level social worker shall not be involved in intervention techniques such as psychotheraphy.

(6) Names, social security numbers, and assignments of baccalaureate level social workers shall be included on the Special Education Personnel Form No. 30-06-102.

(7) A written statement of job descriptions and procedures of evaluation used for the social work paraprofessional program shall be included as part of the local comprehensive plan.

APPROVAL OF SOCIAL WORK PARAPROFESSIONALS

A paraprofessional approval process has been adopted and will become effective for the 1978-79 school year. School social work paraprofessionals shall obtain a permit as required for other special education paraprofessionals. The level of permit shall be determined by the superintendent, special education director, or designee as described for certificated personnel. (See PARAPROFESSIONALS IN SPECIAL EDUCATION section)

REIMBURSEMENT

Special education reimbursement for certified master's level school social workers is available on the same basis as for other special education certificated personnel. Support personnel as well as special education teachers are designated as *special teachers*. Reimbursement for non-certified bachelor degree level social workers is available as a *paraprofessional*. (See REIMBURSEMENT AND FINANCES section for amounts and types of reimbursement.)

5. PROGRAM GUIDELINES
SPECIAL EDUCATION INSTRUCTIONAL MATERIALS CENTERS

DEFINITION

The Special Education Instructional Materials Center (SEIMC) provides media resources in support of special education programs. The purpose of the SEIMC is to serve personnel who work with exceptional individuals through the following methods:

(1) Consultation and training in effective use of media to personalize instruction,
(2) Instruction and assistance in adaptation and development of instructional media,
(3) Dissemination of information about current developments in educational technology,
(4) Maintenance of an extensive depository of instructional media for short-term loan or demonstration, and
(5) Liaison with federal special education media programs and other Kansas SEIMC's.

The SEIMC should supplement, not supplant, the district's obligatory provision of those supplies and equipment required to meet the needs of exceptional learners.

POPULATION TO BE SERVED

The SEIMC shall provide services to individuals with all types and degrees of exceptionality. Such services may be direct or indirect. In most cases the services will be indirect; for example, the primary clients will be those persons responsible for the education of exceptional learners. Those clients include both regular and special education teachers, administrators, special education support personnel, parents, and pre-service teachers training in the area of special education. Direct services to learners are related to short-term instruction in the classroom setting for purposes of assessing educational needs and/or demonstrating appropriate methods or materials.

The SEIMC program is not concerned with identifying students as exceptional per se. Practically, however, services must be confined to students who *require* special application of media for optimal educational progress, such as students who can be shown to need special supplementary instructional materials and equipment. This restriction will prevent SEIMC resources, which are limited by finances and time, from becoming diluted over the entire school population.

The indirect services of the SEIMC program do not constitute a special education placement and require neither a comprehensive pupil evaluation nor an individualized educational program (IEP). However, individuals for whom SEIMC services are requested and who have not previously been identified as exceptional shall be given an educational assessment which will pinpoint specific learning assets or deficits. This assessment may be given by the student's regular classroom teacher, the SEIMC specialist, or other special education personnel. Appropriate assessment tools include, but are not limited to, the Peabody Individual Achievement Test, Basic Education Skills Inventory, Illinois Test of Psycholinguistic Abilities, Frostig Developmental Test of Visual Perception, and the Goldman-Fristoe-Woodcock Test of Auditory Discrimination. Criterion-referenced tests, informal reading-spelling, and math inventories may also be used. The results of the assessment shall be used solely to show need for special materials and to determine suitable mediation strategies.

For many children the mere provision of special materials and/or equipment will be sufficient for satisfactory progress in the educational mainstream. However, SEIMC personnel should be alert to the possibility that more intensive services may be required and are responsible for making further referral to appropriate specialists.

SPECIFIC PROGRAM GOALS

The overall goal of the SEIMC is to improve the teaching and learning of exceptional children through the provision of supportive media services. Media is defined as printed, auditory, and visual forms of communication and their accompanying technology. Specific objectives of the program are as follows:

(1) To facilitate personalized educational programs for exceptional learners through in-service and consultation in the effective use of media resources,

(2) To acquire and catalog a depository of instructional media suitable for use in instructional programs for exceptional learners,

(3) To assist in organizing at building level those media resources not appropriately centralized in the SEIMC,

(4) To retrieve and lend materials relevant to specific educational objectives,

(5) To adapt or to develop instructional media as required to meet the needs of exceptional learners,

(6) To seek and disseminate information about innovations in educational technology,

(7) To cooperate with other local and regional special education media centers in increasing SEIMC program effectiveness,

(8) To continuously assess the media needs of exceptional individuals in the service area and devise strategies to meet these needs, and

(9) To evaluate center effectiveness both objectively in terms of usage and subjectively in terms of client satisfaction.

INTRA-STATE SEIMC NETWORK

A long-range goal of the Special Education Administration Section is the development of an intra-state network which facilitates the delivery and utilization of media in educational programs for exceptional individuals. The network shall be a confederation of local SEIMC's directly responsible to their respective administrative units, but also committed to a statewide service program. A close working relationship among SEIMC's allows for an exchange of expertise, equipment and materials, and services. Dissemination of information, an important program goal, is also achieved through the network.

Certain unique services and/or materials can be provided to all districts in the state through a single SEIMC. Major responsibility for coordinating the dissemination of materials for the visually impaired, for example, is assumed by the Wichita Diagnostic Educational Media Center. SEIMC's are encouraged to seek specialty areas which can be developed into statewide services.

COORDINATION OF SEIMC AND REGULAR LIBRARY MEDIA SERVICES

Many local education agencies operate a unified library media program and have a central organizational unit which provides services, such as processing, cataloging, and advanced audiovisual production. Whenever possible, SEIMC services should be established as a specialized branch of the extant school media program. This arrangement is both educationally effective and economically sound inasmuch as it makes a wider range of services and resources available to exceptional students than would otherwise be possible.

Lacking availability of a unified media program, SEIMC personnel should work closely with library media specialists in individual schools. Many materials are more appropriately housed at building level rather than in a central depository. It is the responsibility of the SEIMC program to assist in developing building level media programs that provide resources for exceptional children and their teachers.

In any case the SEIMC personnel will primarily be concerned with developing systems by which the educational needs of exceptional children can be met through the proper matching of instructional programs to learner variables. Their activities should be directed toward:

(1) Identifying curricular areas in which an exceptional learner requires materials differing from those being used by his/her peers,

(2) Providing appropriate media, making modifications, or developing new materials as necessary,

(3) Assisting teachers in using media to personalize instruction.

SEIMC PERSONNEL

The professional staff of the center will consist of as many special education instructional materials specialists as necessary to provide comprehensive SEIMC services. One of these SEIMC specialists shall be designated as coordinator and shall be responsible for articulating center activities. If only one SEIMC specialist is employed in the center, this person will act as coordinator.

It is recommended that the SEIMC staff also include personnel with the types of special abilities that will enhance and expand the center's services. These would include graphic artists and media specialists. Paraprofessionals may be employed as media aides and media technicians. Minimally, an SEIMC will be staffed with an SEIMC coordinator and one media aide. Generally, the local administrator responsible for special education services will assist in establishing policies and objectives, and will be responsible for integration of the SEIMC into the educational system of the sponsoring local education agency.

(1) *SEIMC Coordinator:* The SEIMC specialist designated as coordinator shall be responsible for implementing and coordinating SEIMC services: (a) identifying and developing needed media services in the service area, (b) ordering and loaning instructional materials, (c) implementing demonstration and in-service programs, and (d) promoting the use of center services by field personnel. Specific duties of the coordinator should be defined by the sponsoring local education agency inasmuch as these duties will vary with differences in emphases, priorities, and local administrative structures.

(2) *SEIMC Specialist:* The major role of the SEIMC specialist is to provide consultation and in-service training in effective use of media to personnel working with exceptional children. Specific duties include (a) previewing and analyzing instructional media, (b) selecting appropriate teaching materials, (c) demonstrating effective use of instructional media, (d) adapting or developing materials to meet specific needs, (e) assisting in the organization of building level instructional media resources, and (f) disseminating information about current developments in educational technology.

The following requirements are for state approval of an SEIMC specialist or coordinator:

(a) A valid Kansas teaching certificate,

(b) Certification in one or more areas of exceptionality. (See Certification Requirements for Special Education Teachers in *Certificate Handbook*),

(c) At least two years of field experience in special education or remedial instruction, and

(d) Competencies in instructional use of media.

(3) *SEIMC Paraprofessionals:* SEIMC specialists must spend the major portion of their time in the schools working with teachers. Therefore, it is essential that they be freed from such duties that do not require professional training or certification. Many center functions, although vital to the total program, may be delegated to paraprofessional media aides or media technicians. Media aides and media technicians may be claimed for special education paraprofessional reimbursement if (a)

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they perform tasks related to the in-service and media services of the center and (b) are under the supervision of a certificated SEIMC specialist. The ratio of full-time paraprofessionals to SEIMC specialists shall not exceed four.

(a) *Media Aides:* Media aides handle routine circulation activities, demonstrate proper operation of equipment, and assist clients in locating materials. They are responsible for shelving and filing materials, inspection and repair of materials, and simple materials production services, such as mounting pictures and making transparencies. Media aides may also be assigned duties related to preparing and updating a catalog of materials or issuing the center newsletter.

(b) *Media Technicians:* Media technicians provide assistance in the production of materials, repair and maintenance of equipment, assistance with media presentations, and information processing. Specific duties might include assistance to teachers in designing materials, illustrating center publications, preparing materials for use with educational television and photographic production, and keeping audio-visual equipment in working order.

SEIMC FACILITIES

The location, space, and equipment of the SEIMC will be dictated by the scope of the program. In general, centers should be functional in design with adequate space for shelving materials and storing equipment. Office space for SEIMC personnel and a work area for cataloging and processing materials should also be provided. Additional space will be required if materials production and in-service activities are carried out in the center.

The SEIMC should be located in its service area so that it will be most accessible to the greatest number of clients. Additionally, a system for quick delivery of materials to clients should be provided. In some centers the existing school mail may be used; other centers may require a van to meet circulation needs. It is recommended that the SEIMC be located on ground level to facilitate the movement of materials.

EVALUATION

The SEIMC should continuously assess its contribution to the total special education program. Immediate and specific objectives shall be formulated annually and used as a basis for judging the progress of the program toward achievement of its own stated purpose. Accurate records shall be kept of acquisitions, loans, and other SEIMC activities in order that the center may be accountable to its sponsoring district(s). Additionally, the SEIMC shall develop and implement procedures for collecting subjective evaluative data relative to client satisfaction.

E. EARLY CHILDHOOD EDUCATION

DEFINITION

Preschool services for exceptional children in Kansas are considered to be from zero to school age. School age is defined in the *State Plan for Special Education* as *the age at which the local board of education provides educational services for non-exceptional children. (K.S.A. 1977 Supp. 72-962.)*

Exceptional children who attain the age of five years on or before September 1 are eligible, in the same manner as non-exceptional children, for kindergarten programs if available in their respective districts. Children whose birth dates fall after the September 1 deadline are not eligible for kindergarten programs until the following school year.

Exceptional children at the preschool level in Kansas include all handicapping conditions as well as the gifted.

INTRODUCTORY STATEMENT

Current research indicates exceptional children make significant gains when provided early identification, educational intervention, and family participation in the education or intervention program. The primary goal of early education and intervention is to provide programming appropriate to the preschool exceptional child's developmental needs, which will enhance his/her capabilities for successful school achievement.

LEGAL AUTHORITY

State categorical reimbursement is authorized by K.A.R. 91-12-21 which specifically states that *services for preschool children are authorized but not mandated, and nothing herein shall be construed to prevent the use of local funds or state special education categorical funds for preschool programs.*

PROGRAM GUIDELINES

In accordance with the *least restrictive environment* philosophy, preschool programs for the exceptional child should afford opportunities for shared group experiences and interaction with children of other needs and abilities as appropriate for his/her age level.

Since the family is most often the primary source of service to the preschool child, early education and intervention programs should encourage and support parental involvement. Parental involvement may be encouraged through (1) participation in home teaching sessions with the child and the teacher, (2) assistance in center based programs, and (3) participation in family counseling or parent group meetings.

Service Delivery Models

Preschool services for exceptional children may be provided via four alternative service delivery models. These are as follows:

(1) Regular preschool programs which are established for non-exceptional children but which incorporate exceptional children into the program by making program and environmental accommodations necessary to meet their needs.

(2) Special Education Preschool Programs

  (a) Integrated preschools which are established as programs serving handicapped children but which include some non-exceptional children as a part of the program population.

  (b) Special preschools which contain solely exceptional children representing a variety of exceptionalities or a single categorical type of exceptionality.

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(3) Home based programs in which children receive educational services in their home setting with the parent(s) as the primary teacher of the child.

Administrative Structure

Special education preschool programs may be established through the same options as programs for school-age handicapped children. Districts may do the following:

(1) Establish programs within their own school district.

(2) Establish a cooperative program with other school districts.

(3) Contract with an accredited or approved public or private non-profit facility.

Any preschool program for exceptional children which seeks state educational funding must meet the standards of special purpose schools and/or be under the auspices of the local education agency. Educational programs designed only for preschool exceptional children are not included under special purpose school standards. These programs will be reviewed for approval on an individual basis through the Special Education Administration Section.

GLOSSARY OF SELECTED TERMINOLOGY

INTRODUCTORY STATEMENT

To further clarify and explain the terminology used in special education, a section of this plan is concerned with definitions of pertinent terms. As cited in K.S.A. 72-961 and 72-962, any specialized terms and phrases used in this legislation are defined and will remain as stated *unless the context otherwise requires.* These definitions do not constitute a complete or total list, but are the most frequently used in reference to the plan. In addition, most of these definitions and other terms are further expanded in the context and program areas of this plan.

Adaptive Physical Education	Programs which have the same objectives as the regular physical education programs, but in which adjustments are made in the curriculum to meet the needs and abilities of exceptional individuals.
Annual Survey	K.S.A. 72-971 states: *In order to obtain data necessary for review of the progress or lack thereof made in special education services for exceptional children and to assess future needs for providing special education services on a more comprehensive, expert, economic, and efficient basis, it shall be the duty of the Department to conduct an annual survey of the school districts showing the total number of exceptional children within the various categories of exceptionality in the state.* The data obtained will determine the amount of money to be encumbered and reimbursement for pupil transportation, teacher transportation, and programs for exceptional children. Personnel lists shall verify the approval of special staff employed.
Art Therapy	The use of art experiences which offer the individual an experience to face, relive, and resolve his/her inner conflicts and fears.
Audiology	The determination of the range, nature, and degree of hearing loss including referral for medical or other professional attention for the habilitation of hearing.
Cerebral Palsy	An impairment of the nervous system designated by a number of types of neuromuscular disabilities which are characterized by disturbances of motor function resulting from damage to the brain and central nervous system.
Child Care Center	A day nursery providing care for seven or more children, for part or all of a day or night; a center may include full day child care, nursery schools, play groups, Head Start, centers giving emphasis to programming for special children, kindergartens not operated by the public schools, and other establishments offering care to groups of children for part or all of the day or night. Centers for infants and toddlers or for developmentally disabled children may have fewer than seven children, but be licensed as a center because the program meets child care center regulations. (As defined by the State Departments of Health and Social and Rehabilitative Services.)

Comprehensive Evaluation	An evaluation which includes consideration of the school, home, and community. It shall be non-discriminatory and multidisciplinary and shall include physical, psychological, and educational data.
Comprehensive Plan	A report of the current status of local special education services and a three year projection of program revision or expansion. Each year as the district/cooperative implements the first year of its projected activities, the plan is updated and a new three year projection made. This updated plan reflects progress made in special education services and changes in local needs. By August 15 of each year, each district or special education cooperative submits to the Special Education Administration Section an update or revision of its plan for providing comprehensive special education services.
Compulsory Attendance	*When a school district provides special education services for exceptional children as required by this act, and a determination has been made as provided in Sections 13 and 16, inclusive, of this act, that a child is an exceptional child and special education services are necessary for such child, it shall be the duty of the parent or guardian of such exceptional child to require such child to enroll for and attend the special education services which are indicated by such determination.* (K.S.A. 72-977)
Consulting Teacher Plan	A certified special education teacher whose role is to facilitate the maintenance of exceptional children in the regular educational setting with their peers as is appropriate to their special needs determined from the results of the comprehensive evaluation. The consulting teacher functions as an instructional specialist who may work across several areas of exceptionality.
Counseling Services	The services provided by guidance counselors.
Deaf-Blind	Those individuals who have auditory and visual impairments, the combination of which causes such severe communication and other developmental and educational problems that they cannot properly be accommodated in special education programs solely for the hearing impaired or the visually impaired individual. Although the deaf-blind have many of the same learning characteristics and needs as the severely multiply handicapped, they may not always be functionally severely or profoundly retarded.
Dependency Level	The acquirement of a range of behaviors which each mentally retarded individual can use in order to perform on an independent basis in some situations, while he/she will require assistance and/or support to perform in other situations. Since mental retardation occurs on a continuum, the ability to perform independently also occurs on a continuum. The dependency levels of this continuum range from independent performance through semi-independent, semi-dependent, and dependent to totally dependent performance.

Dependent Learner (Severely Retarded)	(See Mental Retardation section)
Developmentally Disabled	An individual who has a handicap attributable to mental retardation, cerebral palsy, epilepsy, or other handicapping condition or closely related specific functional disorder (specific learning disabled) and one whose disability (1) has continued or can be expected to continue for an indeterminate period of time, and (2) constitutes a substantial performance handicap for the individual.
Director of Special Education	The local principal administrator in the area of special education. There are specific training and certification requirements this individual shall have before he/she can be approved as a director. Some school districts or cooperative programs will have a director as well as supervisors for the various programs.
Educable Mentally Retarded (Semi-Independent Learner)	(See Mental Retardation section)
Epilepsy	A group of nervous diseases marked primarily by convulsions of varying forms and degrees.
Exceptional Children	Children who differ in physical, mental, social, emotional, or educational characteristics to the extent that special education services are necessary to enable them to progress toward the maximum of their abilities or capacities. This includes both handicapped and gifted children.
Full-Time Equivalent Teaching Unit	A time unit upon which reimbursement for programs is determined. One FTE equals 1,080 clock hours. Each approved paraprofessional unit shall be counted as one-half full-time equivalent special teacher.
Gifted	Those individuals who have potential for outstanding performance by virtue of superior intellectual abilities. The intellectually gifted are those with demonstrated achievement and/or potential ability. Individuals capable of outstanding performance include both those with demonstrated achievement and those with minimal or low performance who give evidence of high potential in general intellectual ability, specific academic aptitudes, and/or creative thinking abilities.
Handicapped Children	Children who are mentally retarded, hard of hearing, deaf, speech impaired, visually impaired, seriously emotionally disturbed, crippled, or who are health impaired and by reason thereof require special education and related services. Specific learning disabilities, language impaired, severely multiply handicapped/deaf-blind are also included in this category. (As defined in federal legislation P.L. 94-142)

Hearing Disorder/ Impairment	A loss of auditory functions sufficiently severe to affect the individual's ability to communicate with others or to develop communicative and/or learning skills.
Homebound and Hospitalized	Persons who cannot attend school due to a short or long term disability and who receive educational services from approved instructors within a home or hospital setting. Such disabilities may include injuries, diseases, or any other conditions requiring home or hospital confinement.
Integrated Special Classroom Program	A special education program in which the exceptional child is assigned to a special class, but receives most academic instruction in regular classes.
IEP	The individual education program which is a written statement of the special education and ancillary services needed by a child based on his/her current level of functioning. It assigns responsibility for the delivery of these services, sets forth the anticipated changes in the child's behavior, and describes how these changes will be measured. Parents and, when feasible, the child must be given opportunity for active participation in its formulation.
Interlocal Agreements	Any legal entity which relates to education services and is limited to one or more of the following: special education, vocational education, career education, media services, curriculum development, and in-service training for staff programs. School districts may enter into interlocal agreements and establish a separate legal entity to provide certain educational services. (K.S.A. 12-2904 and K.S.A. 72-8230).
Interrelated Program	A program for children with similar learning characteristics and needs, but from two or more categories of exceptionality, to provide services in the same educational program. The interrelated program allows for the provision of small group or individual instruction for combinations of exceptional children without the maintenance of separate categorical classroom facilities or multiple categorical personnel.
Itinerant Teacher Plan	The itinerant teacher who provides direct service to learners enrolled in the regular classroom. The major role of the itinerant teacher is to provide specialized individual and small group instruction, although some time is devoted to consulting with regular teachers.
Language Disorder and/or Impairment	Children whose basic communication system, whether verbal, gestural, or vocal, evidences disorders, deviations, or general developmental needs in language, speech, fluency, or voice quality, hinder their academic learning, social adjustment, self-help skills, or communication skills.

Least Restrictive Alternatives	Sufficient educational alternatives to meet the diverse needs of children and youth with various types and degrees of exceptionality. School districts must implement a service continuum which provides an array of placement options for exceptional learners. The total program developed by each school district or special education cooperative or in conjunction with other agency services include a series of service levels, as needed, on a progressive scale from least to most intensive; and provides in accordance with the least restrictive environment principle.
Least Restrictive Environment	An environment in which the student can achieve the highest levels compatible with his/her capabilities. It may be an intensive level of service but should not, for reason of the exceptionality alone, remove the student completely from the mainstream of activities of his/her age peers.
Local Education Agency	A political subdivision of the state which is responsible for providing education to exceptional children, such as a school district, special education cooperative, interlocal entity, state school, or state institution.
Mandate	A legislated requirement for action. In relation to special education services, the mandate requires the provision of special education services for all exceptional children.
Medical Services	The services provided by a licensed physician to determine a child's medically related handicapping condition which results in the child's need for special education and support services.
Mentally Retarded	The limitation of mental ability which differs in both degree and quality to the extent that special assistance is necessary to aid the individual in the acquisition of understandings and skills for coping with environmental situations. (See the expanded definitions in the Mental Retardation section) Each mentally retarded individual acquires a range of behaviors which he/she can use in order to perform on an independent basis in some situations, while he/she will require assistance and/or support to perform in other situations. Since mental retardation occurs on a continuum, the ability to perform independently also occurs on a continuum. The dependency levels of this continuum range from independent performance through semi-independent, semi-dependent, and dependent to totally dependent performance.
Semi-Independent Learner (Educable Mentally Retarded)	An individual with mild retardation in intellectual development. (See definitions in Mental Retardation section)

Semi-Dependent Learner (Trainable Mentally Retarded)	An individual with moderate retardation in intellectual development. (See definitions in Mental Retardation section)
Dependent Learner (Severely Retarded)	An individual with severe retardation in intellectual development. (See definitions in Mental Retardation section)
Totally Dependent Learner (Profoundly Retarded)	An individual with profound retardation in intellectual development. (See definitions in Mental Retardation section)
Music Therapy	The utilization of music and its many components to advance the educational opportunities of exceptional children.
Normalization	The principle of helping handicapped individuals to obtain a life experience as close to the normal as possible by making available to them patterns and conditions of everyday life that are as close as possible to the norms and patterns of the mainstream of society. Specifically, normalization calls for the use of means that are as culturally normative as possible to elicit and maintain behavior that is as culturally normative as possible.
Occupational Therapy	Therapy which trains students to develop functional skills through programming in the areas of gross and fine motor exercises, sensory-motor integration exercises, feeding, positioning, range of motion excercises, adaptive equipment construction, and activities of daily living.
Paraprofessional	A special teacher qualified to assist certificated teachers in the instruction of exceptional children as determined by standards established by the State Board of Education and who is so approved by the State Board of Education.
Parent Counseling and Training	Assistance for parents to understand the special needs of their child and providing parents with information about child development.
Personal & Social Adjustment Problems (Emotional Disturbance)	Individuals who manifest marked behavior excesses and/or deficits which persist over a period of time. Behavior excesses and deficits include aggressive and/or anti-social behaviors which are intended to agitate and anger others or to incur punishment, inappropriate and/or uncontrolled emotional responses, persistent moods of depression or unhappiness, withdrawal from interpersonal contacts, and behaviors centrally oriented to personal pleasure seeking with little or no regard to the

	consequences of any acts. These behaviors, if they cannot be explained by intellectual, physical, or sensorial reasons, may be indicative of emotional disturbance, mental illness, or social maladjustment.
Physical Therapy	A program designed for the training of the individual in the use or rehabilitation of the muscular skeletal system. Physical therapy is always administered under a doctor's orders.
Physically and Other Health Impaired	Individuals with physical or orthopedic conditions which necessitate special education and/or supportive services. These conditions include, but are not limited to, cerebral palsy, spina bifida, convulsive disorders, multiple sclerosis, musculoskeletal conditions, and congenital malformations. In addition, major health conditions such as cancer, diabetes, mononucleosis, kidney disease, asthma, and cyptic cibrosis can necessitate some type of special education services.
Procedural Due Process	Procedures which ensure equal educational opportunities for all children including those who are exceptional. Specifically, exceptional children and their parents are guaranteed procedural safeguards in decisions regarding identification, evaluation, and educational placement.
Profoundly Retarded (Totally Dependent Learner)	(See Mental Retardation section)
Recreation Programs	Programs of leisure-related activities which are provided for individuals or groups who have special impairments.
Residential Program	A special education program that is conducted within a residential facility.
Resource Room Plan	A plan in which the exceptional learner is enrolled in a regular education program, but goes to a specially equipped room to receive part of his instruction from a special teacher. The resource room teacher is responsible not only for his/her own classroom, but also for maintaining communication with students' regular classroom teachers. Like the itinerant teacher, he/she provides both instructional and consultative services.
School Age for Exceptional Children (K.S.A. 72-962) ...	The age at which the local board of education provides educational services for non-exceptional children. Services for preschool children are authorized, but not mandated and nothing herein shall be construed to prevent the use of local funds or state special education categorical funds for such preschool programs. Services shall be extended through the school year during which they reach age 21 or until the exceptional child has completed local curriculum, in accordance with the State Board of Education standards, whichever event shall first occur.

School Pyschological Services	Services which offer assistance and supportive services to the students, parents, administrators, special education, and regular classroom teachers in the understanding of learning and behavior and in the development of good mental health practices.
School Residence	An individual may establish school residence as determined by the guidelines outlined in K.S.A. 72-1046. Whenever an exceptional child is educated in another district or in a special purpose school under the provisions of K.S.A. 1977 Supp. 72-967, such child shall be considered a pupil of the school district in which he/she is a legal resident.
School Social Work Services	Services which provide a liaison between the home and school and between the school and community. Coordination between school and community agencies as well as individual and group casework techniques are utilized.
Semi-Dependent Learner (Trainable Mentally Retarded)	(See Mental Retardation section)
Semi-Independent Learner (Educable Mentally Retarded)	(See Mental Retardation section)
Severely Multiply Handicapped/Deaf-Blind	Individuals who demonstrate severe/profound functional retardation in addition to severe sensory and/or motor disabilities, severe emotional disturbance, chronic health conditions, or severe communication disorders. The following characteristics are frequently associated with this low-incidence population; severe motor involvement; absence of feeding, dressing, grooming, and/or toileting skills; failure to imitate simple actions of others, follow simple directions, communicate, guard against common physical dangers, or interact appropriately with the physical or social environment; and may exhibit stereotypic and/or self-injurious behaviors. These characteristics prohibit or severely limit successful progress in a special program designed to accommodate a single major handicap.
Severely Retarded (Dependent Learner)	(See Mental Retardation section)
Special Class	An educational program in which learners are enrolled in a special classroom for instruction which meets their exceptional needs.
Special Education Cooperative Agreements	A plan whereby the boards of two or more school districts within or without the state may enter into an agreement to provide special education services *on a shared-cost basis*. In these agreements, one district

	shall be designated the sponsoring district; the remaining district(s) shall become participating districts. The board of education of the sponsoring district is the legal body of the cooperative under the Special Education for Exceptional Children Act for the purpose of operation and administration in providing education services. It is strongly recommended that special education cooperative be comprehensive (includes a full range of services).
Special Education Instructional Materials Centers (SEIMC)	A center which provides media resources in support of special education programs. The SEIMC supplements rather than supplants the districts obligatory provision of those supplies and equipment required to meet the needs of exceptional learners.
Special Purpose School	An approved school that is operated by a governmental agency or by a private foundation or organized as a private nonprofit corporation within or without the state of Kansas. For the purposes of this state plan a special purpose school is one with a program for one or more types of exceptional children.
Special Teacher	Special teacher is defined as: 1. a. A teacher employed by a school district for special education services who is certified by the State Board of Education to instruct exceptional children. b. Special education supportive personnel certified by the State Board of Education, such as school psychologists, school social workers, speech clinicians, and audiologists. c. Special education supportive or instructional personnel, such as occupational therapists, physical therapists, work placement or rehabilitation specialists, music therapists, art therapists, counselors, early childhood personnel, and nurses who hold current certification from their respective licensing or registering agents appropriate for their special work. d. Other supportive or instructional personnel for which there is no licensing or registering agent may be approved on an individual basis by the Special Education Administration Section if they are employed to work with exceptional children and are recommended for such employment by their parent training institution (for example, adaptive physical education, perceptual motor, recreation, early childhood). 2. a. A paraprofessional qualified to assist certificated teachers in the instruction of exceptional children as determined by standards established by the State Board of Education and who is so approved by the State Board of Education.

Specialized Equipment	Any unique instructional media not ordinarily available to all students, but needed by the student for learning.
Specific Learning Disabilities	Children who exhibit a disorder in one or more of the basic psychological processes involved in understanding or in using spoken or written language. These may be manifested in disorders of listening, thinking, talking, reading, writing, spelling, or arithmetic. They include conditions which have been referred to as perceptual handicaps, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. They do not include learning problems which are due primarily to visual, hearing, or motor handicaps; mental retardation; emotional disturbance; environmental, cultural, or economic disadvantage.
Speech and Language Services	Those services directed toward the identification of underlying causes and contributory factors which have led to, or maintain, impairments to verbal skills across a broad range of expressive and receptive modes of communication. They are directed to the development and execution of strategies leading toward more satisfactory verbal performance.
Sponsoring District	The district serving as the administrative unit in a special education cooperative agreement.
State Institutions	The state institutions which include Topeka State Hospital, Osawatomie State Hospital, Larned State Hospital, Parsons State Hospital and Training Center, Norton State Hospital, Southeast Kansas Tuberculosis Hospital, Winfield State Hospital and Training Center, the Youth Center at Atchison, Kansas Neurological Institute, the Youth Center at Topeka, the Youth Center at Beloit, Kansas State School for the Deaf, and Kansas State School for the Visually Handicapped.
State Plan	A framework of operation which includes rules and regulations for the establishment, maintenance, and supervision of special education services in school districts and state institutions; standards for screening, diagnosis, and placement of exceptional children; and standards for program approval. The State Plan for Special Education services is authorized by K.S.A. 1977 Supp. 72-963 of the Special Education Act.
State Special Education Advisory Council	A lay and professional advisory council consisting of nine members appointed by the State Board of Education for a term not to exceed two full terms (three years per term). This council offers advice, consultation, and recommendations to the State Board of Education on matters concerning special services for exceptional children.

Supervisor	An individual who supervises and coordinates the activities of an area of special education. This person is usually directly responsible to the director of special education and is actively engaged in curriculum development and supervision of instruction.
Support Services.	Services that are required to maintain an exceptional child in an appropriate educational setting. They include, but are not limited to audiology, counseling services, medical services for diagnostic or evaluation purposes, occupational therapy, parent counseling and training, physical education, physical therapy, psychological services, recreation, school health services, social work services, specialized equipment, speech/language services, transportation, and vocational education.
Title I Day Care Center	A school that serves preschool as well as school age handicapped children and provides free public education. A day care center must be licensed and receive state funding contributions from a state agency. It may be public or nonpublic; it may operate under voluntary sponsorship and receive both state support and private donations. It may be either a profit or a nonprofit operation and be incorporated or unincorporated. The center must provide handicapped children with instruction which meets the educational requirements of the State Department of Education.
Totally Dependent Learner (Profoundly Retarded)	(See Mental Retardation section)
Visually Impaired	Limited vision which interferes with educational and/or developmental progress. Two divisions for the visually impaired can be made. 1. *Partially Seeing.* Those individuals whose visual limitation constitutes an educational handicap but who are able to use print as their primary educational medium. 2. *Blind.* Those individuals who must depend primarily upon tactile and auditory mediums for their education. The group may include individuals who have some residual vision, but whose vision loss is so severe that, for educational purposes, print cannot be used as the major medium of learning. *Legal Blindness* which applies to the blind and to certain partially seeing. It is used solely for the purpose of qualifying Kansas for certain amounts of federal funds for each child so identified.

The following definitions were adopted for all state plans by the Executive Committee on April 15, 1977.

Goal	An abstract or theoretical, but concise, statement which defines the desired results toward which the organization's efforts are directed.
Objective	A concise statement indicating a desired outcome of a program which will contribute to a goal to which it is related, but, unlike the goal, is stated in realistic achievable and measurable terms.
Types of Objectives	
Operational or Process Objective	A statement identifying a specific responsibility relative to specific tasks to be accomplished within a defined time frame.
Productive Objective	A statement indicating an expected specific product to be accomplished within a defined time frame.
Activity	Procedure designed to accomplish the specific objective which has been established for a specific program.
Strategy	Summation of activities designed to accomplish an objective.